

MICHAEL H. CARLTON

v.

LISA A. CARLTON

Submitted on Briefs June 16, 2011
Decided July 12, 2011

Panel: SAUFLEY, C.J., and ALEXANDER, LEVY, SILVER, MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

Lisa A. Carlton appeals from the judgment of the District Court (Wiscasset, *Tucker, J.*) that denied two post-judgment motions for contempt and one post-judgment motion to modify spousal support. On appeal, Lisa Carlton contends that there was sufficient evidence to support the granting of each of the motions and that Michael H. Carlton's evidence opposing her motions was not credible and should not have been believed and utilized by the court to support its denial of her motions. On each of the post-judgment motions, Lisa Carlton, as the moving party, bore the burden of proof. When a party challenges a court's finding that the party has not met its requisite burden of proof and denied that party's requested relief, the party must demonstrate, on appeal, that the record compels a conclusion contrary to that reached by the court. *Westleigh v. Conger*, 2000 ME 134, ¶ 12, 755 A.2d 518, 520. Further, it is for the trial court to determine the witness and evidence credibility issues that appear to be the principal basis for this appeal. *Jenkins, Inc. v. Walsh Bros. Inc.*, 2002 ME 168, ¶ 7, 810 A.2d 929, 933. Because it is for the trial court to decide credibility issues and because the record here does not compel a conclusion contrary to that reached by the trial court with respect to each of the three motions at issue, the court's judgment must be affirmed.

The entry is:

Judgment affirmed.

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