

LINDA J. FLEMING

v.

DONALD M. FLEMING JR.

Argued September 13, 2012  
Decided October 2, 2012

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

MEMORANDUM OF DECISION

Donald M. Fleming Jr. appeals from a judgment of the Superior Court (Knox County, *Field, J.*) enforcing a prior divorce judgment (Knox County, *Atwood, J.*) by requiring Donald to pay off the mortgage debt on the marital home. Contrary to Donald's contentions, the court did not err by enforcing the divorce judgment. *See* 19-A M.R.S. § 951-A(6) (2011); M.R. Civ. P. 15(b); *Ward v. Ward*, 2008 ME 25, ¶ 5, 940 A.2d 1063. Neither did the court err in finding that Donald was required to pay \$90,000 in mortgage payments to discharge his obligation to his former wife, or in declining to credit Donald's payment of \$10,000 against the mortgage amount owed. *See Theberge v. Theberge*, 2010 ME 132, ¶¶ 17, 18, 9 A.3d 809.

The entry is:

Judgment affirmed.

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**On the briefs and at oral argument:**

Christopher K. MacLean, Esq., Elliott & MacLean, LLP, Camden, for  
appellant Donald M. Fleming, Jr.

Thomas F. Shehan, Jr., Belfast, for appellee Linda J. Fleming

Knox County Superior Court docket number CV-1995-10  
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