

MICHAEL J. MONK

v.

JENNIFER L. MONK

Submitted on Briefs March 1, 2012
Decided March 6, 2012

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

MEMORANDUM OF DECISION

Michael J. Monk appeals from a divorce judgment of the District Court (Biddeford, *O'Neil, J.*) granting Jennifer L. Monk primary residence of their minor daughter during the school year and Michael primary residence during the summer. Michael argues that the court (1) failed to review evidence of Jennifer's medical history and character; (2) abused its discretion in awarding primary residence to Jennifer during the school year and to Michael during the summer; (3) abused its discretion in declining to appoint a guardian ad litem when requested during the final hearing; and (4) failed to apply 19-A M.R.S. § 1657(2)(A-1) (2011) in its determination of parental rights and responsibilities.

Contrary to Michael's contentions, the court (1) properly admitted evidence of Jennifer's medical history and character, *see Malenko v. Handrahan*, 2009 ME 96, ¶ 30, 979 A.2d 1269; (2) did not abuse its discretion in its award of primary residence, *see Sheikh v. Haji*, 2011 ME 117, ¶ 12, 32 A.3d 1065; (3) did not abuse its discretion in declining to appoint a guardian ad litem in response to Michael's late request, *see Kelley v. Snow*, 2009 ME 128, ¶¶ 12-13, 984 A.2d 1281; and (4) did not err in application of law, *see Blanchard v. Sawyer*, 2001 ME 18, ¶ 5, 769 A.2d 841.

The entry is:

Judgment affirmed.

On the briefs:

Michael J. Monk, pro se

Jennifer L. Monk did not file a brief

Biddeford District Court docket number FM-2010-231
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