

BRIANNE M. EMERY

v.

JANICE MOORE o/b/o KEAGEN P.

Submitted on Briefs March 1, 2012

Decided March 8, 2012

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

MEMORANDUM OF DECISION

Janice Moore appeals from a protection from abuse order entered in the District Court (Lewiston, *Stanfill, J.*) against Keagen P. on Brianne Emery's complaint. Contrary to Moore's arguments, the court did not err in issuing the protection from abuse order because there was competent, although certainly not overwhelming, evidence in the record to support the court's finding that Emery had been subjected to abuse as defined by statute.¹ *See* 19-A M.R.S. § 4002(1)(E) (2011); *Smith v. Hawthorne*, 2002 ME 149, ¶ 19, 804 A.2d 1133; *see also In re David H.*, 2009 ME 131, ¶ 42, 985 A.2d 490 (explaining that the Law Court may affirm the trial court's decision on grounds different than those upon which the court based its decision). Further, the court was not required to make specific findings of fact and Moore did not request them pursuant to M.R. Civ. P. 52. *See* 19-A M.R.S. §§ 4005-4007 (2011).

The entry is:

Judgment affirmed.

¹ The court concluded, and we agree, that nothing in the record suggests that Keagen engaged in assaultive behavior toward Brianne.

On the briefs:

Timothy R. Shannon, Esq., and Andreea Sabin, Esq., Verrill Dana, LLP,
Portland, for appellant Janice Moore

Henry W. Griffin, Esq., Lewiston, for appellee Brianne M. Emery

Lewiston District Court docket number PA-2011-342
FOR CLERK REFERENCE ONLY