

JUDITH ELLEN ROWE

v.

FULTON DONALD OAKES III

Submitted on Briefs March 14, 2012

Decided April 3, 2012

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

#### MEMORANDUM OF DECISION

Fulton Donald Oakes III appeals from the judgment of the District Court (Lewiston, *Dobson, J.*) entering a final order of protection from abuse, 19-A M.R.S. § 4007 (2011), after a contested hearing. The judgment prohibited Oakes from contacting Judith Ellen Rowe but allowed him to be at the place where both parties work, as long as Oakes kept out of Rowe's work area and did not approach her. On appeal, Oakes contends that Rowe's testimony was not credible, the evidence failed to make a prima facie showing of abuse as that term is defined in 19-A M.R.S. § 4002(1) (2011), and the court's order violated good public policy considerations. Recognizing the court's capacity to determine credibility and reviewing the record, as we must, drawing all inferences most favorably to the court's result, the evidence was more than sufficient to support the court's finding of abuse. *See Walsh v. Town of Millinocket*, 2011 ME 99, ¶ 5, 28 A.3d 610. The entry of a protection from abuse order, based on a finding of numerous incidents of abuse, was no violation of public policy considerations.

The entry is:

Judgment affirmed.

**On the briefs:**

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P.A., Bath, for appellant Fulton Donald Oakes III

Aubrey A. Russell, Esq., and Neil S. Shankman, Esq., Shankman &  
Associates, Lewiston, for appellee Judith Ellen Rowe

Lewiston District Court docket number PA-2011-394  
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