

PAMELA A. DOBBINS

v.

MARK J. DOBBINS

Submitted on Briefs October 31, 2013

Decided November 5, 2013

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

MEMORANDUM OF DECISION

Pamela A. Dobbins appeals from a judgment of the District Court (Bangor, *Jordan, J.*) denying her post-divorce motions to enforce the divorce judgment pursuant to M.R. Civ. P. 120 and for relief from the judgment pursuant to M.R. Civ. P. 60(b). Contrary to Pamela’s contentions on appeal, the court did not err in finding that a Qualified Domestic Relations Order (QDRO) entered by the court was consistent with the divorce judgment, and did not otherwise err or abuse its discretion in denying Pamela’s motion to enforce. *See Lewin v. Skehan*, 2012 ME 31, ¶ 24, 39 A.3d 58 (stating that we review orders on post-divorce motions for an abuse of discretion or error of law, and review factual findings for clear error); *Black v. Black*, 2004 ME 21, ¶ 12, 842 A.2d 1280 (“A court may not, under the rubric of enforcement, modify the property to be distributed to each party as established in a divorce judgment.”); *Jed-Harbage v. Harbage*, 2003 ME 74, ¶ 10, 825 A.2d 348 (“When a QDRO is prepared pursuant to a judgment directing its preparation, the QDRO generally constitutes a more complete and specific expression of the court’s intention regarding the distribution of the account than does the judgment that preceded it.”). Nor did the court abuse its discretion in denying Pamela’s motion for relief from judgment. *See* M.R. Civ. P. 60(b) (requiring that parties move for relief from judgment within a “reasonable time,”

and within a year from the entry of judgment for motions based on mistake, inadvertence, surprise, or excusable neglect); *Ezell v. Lawless*, 2008 ME 139, ¶ 19, 955 A.2d 202 (stating that we review the denial of relief on a motion pursuant to M.R. Civ. P. 60(b) for an abuse of discretion and will affirm the court’s judgment unless “failure to grant . . . relief works a plain and unmistakable injustice against the moving party.”)

The entry is:

Judgment affirmed.

On the briefs:

Donald R. Brown, Esq., Brewer, for appellant Pamela A. Dobbins

Robert C. Granger, Esq., Roy, Beardsley, Williams & Granger, LLC,
Ellsworth, for appellee Mark J. Dobbins