

JENNIFER L. WASHINGTON

v.

KYLE A. WASHINGTON

Submitted on Briefs February 26, 2013

Decided February 28, 2013

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

#### MEMORANDUM OF DECISION

Jennifer L. Washington appeals from the divorce judgment entered by the District Court (Caribou, *Soucy, J.*) determining child and spousal support. Contrary to Jennifer's contentions, the trial court did not err in its determination of Kyle A. Washington's gross income for the calculation of child support, because the expenses for the rental property were greater than the income. *Coppola v. Coppola*, 2007 ME 147, ¶¶ 9-10, 938 A.2d 786 (considering the inclusion of net rental income in gross income). Jennifer also argues that the court should have imputed income from Kyle's rental income; however, she did not preserve this issue. *Picher v. Roman Catholic Bishop of Portland*, 2009 ME 67, ¶ 31, 974 A.2d 286 (noting that an issue is not preserved if it is raised for the first time on appeal). Regardless, the court was not compelled to conclude that its failure to impute income would result in an award of child support that is inequitable or unjust. 19-A M.R.S. § 2007(1) (2012). Additionally, the court did not abuse its discretion when it did not order retroactive child support, *Akers v. Akers*, 2012 ME 75, ¶ 2, 44 A.3d 311, nor when it did not award Jennifer spousal support, *Manning v. Manning*, 2008 ME 143, ¶ 3, 956 A.2d 102.

The entry is:

Judgment affirmed.

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**On the briefs:**

Lisa C. Chase, Esq., Caribou, for appellant Jennifer L. Washington

Kyle A. Washington, appellee pro se

Caribou District Court docket number FM-2012-17  
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