

ABBY L. HOKE

v.

THOMAS E. KING

Submitted on Briefs July 1, 2014
Decided July 22, 2014

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

MEMORANDUM OF DECISION

Abby L. Hoke appeals from a judgment entered in the District Court (Ellsworth, *Mallonee, J.*) following remand. Hoke asserts that the court erred in failing to order non-parties to Hoke and King’s divorce proceeding to turn over property that King allegedly transferred in violation of the preliminary injunction. Contrary to Hoke’s contentions, the court did not err in concluding that it lacked personal jurisdiction over non-parties to the proceeding. *See King v. King*, 2013 ME 56, ¶ 21, 66 A.3d 593 (“A party must institute a separate action against a third party to resolve disputes over property, and consolidation of the independent action and the divorce proceeding may be appropriate.”); *Howard v. Howard*, 2010 ME 83, ¶ 12, 2 A.3d 318 (“A person or entity must be a party to a case in order for the court to have personal jurisdiction.”); M.R. Civ. P. 42, 111. Furthermore, the court did not abuse its discretion in not awarding Hoke attorney fees. *See Nadeau v. Nadeau*, 2008 ME 147, ¶ 59, 957 A.2d 108 (“The determination of whether to award attorney fees . . . in a domestic relations matter is committed to the sound discretion of the trial court.” (quotation marks omitted)).

The entry is:

Judgment affirmed.

On the briefs:

Donald F. Brown, Esq., Brewer, for appellant Abby L. Hoke

Thomas E. King did not file a brief.