

MATTHEW J. LANE

v.

ERICA (LANE) NELSON

Submitted on Briefs November 19, 2015

Decided December 3, 2015

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

MEMORANDUM OF DECISION

Matthew J. Lane appeals from a judgment of the District Court (Portland, *Kelly, J.*) entered on his motion to modify the parental rights and responsibilities he shares with his ex-wife, Erica (Lane) Nelson, with respect to their daughter. Although we provided Lane with notice of his obligation to produce a paper transcript, *see* M.R. App. P. 5(a), (b)(2), and afforded him the time and opportunity to do so, he did not take all steps necessary to have a transcript of the evidentiary hearing produced. In the absence of a complete evidentiary record, we assume that the court's findings are supported by sufficient competent evidence in the record, *Springer v. Springer*, 2009 ME 118, ¶ 8, 984 A.2d 828, and on the record available to us, we can discern no abuse of discretion, *see id.* ¶ 8 n.4. Without a transcript of the proceedings, we also “will not address an argument that a statute is unconstitutional as applied.” *Guardianship of Chamberlain*, 2015 ME 76, ¶ 7 n.3, 118 A.3d 229; *see* 19-A M.R.S. §§ 1653, 1657 (2014) (defining the District Court's authority to determine and modify parental rights and responsibilities).

The entry is:

Judgment affirmed.

On the briefs:

Matthew J. Lane, appellant pro se

Erica Nelson did not file a brief

Portland District Court docket number FM-2011-1094
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