

BRIAN C. DANIELSON

v.

YI PENG

Submitted on Briefs September 29, 2016  
Decided October 11, 2016

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

#### MEMORANDUM OF DECISION

Brian C. Danielson appeals from a judgment of the District Court (Bangor, *Jordan, J.*) denying his motion for contempt filed against his ex-wife, Yi Peng. Contrary to Danielson's contentions, the court was not compelled to find Peng in contempt of the provision in the parties' divorce judgment that allocated final decision-making authority over medical matters to Danielson, *see Beckerman v. Pooler*, 2015 ME 80, ¶ 7, 119 A.3d 74; *see also* M.R. Civ. P. 66(d)(2)(D); the court did not abuse its discretion in denying Danielson's motion to reopen the evidence, *see Light v. D'Amato*, 2014 ME 134, ¶ 27, 105 A.3d 447; and Danielson has failed to demonstrate prejudicial error arising from any procedural irregularities, *see In re M.B.*, 2013 ME 46, ¶ 34, 65 A.3d 1260; *see also* M.R. Civ. P. 61

This is Danielson's second appeal from a judgment entered on a post-divorce motion in this matter, *see Danielson v. Peng*, Mem-16-11 (Feb. 2, 2016), and a third appeal is pending, *see Danielson v. Peng*, No. Pen-16-333 (Me. July 25, 2016). The record in this matter demonstrates that the child is suffering because her parents are in conflict and unable to agree on even basic

issues. Accordingly, the trial court is encouraged to assign a single judge to be responsible for any pending and all future court proceedings involving this family.<sup>1</sup>

The entry is:

Judgment affirmed.

---

**On the briefs:**

Brian Danielson, appellant pro se

Yi Peng, appellee pro se

Bangor District Court docket number FM-2015-157  
FOR CLERK REFERENCE ONLY

---

<sup>1</sup> Although the record indicates that Danielson has been determined to be indigent, the record of his income, expenses, and earning capacity are not clear. Further motions based on assertions of indigency should include documentation of Danielson's fiscal circumstances.