

BRIAN C. DANIELSON

v.

YI PENG

Submitted on Briefs January 28, 2016
Decided February 18, 2016

Panel: ALEXANDER, MEAD, GORMAN, JABAR, HJELM, and HUMPHREY,
JJ.

MEMORANDUM OF DECISION

Yi Peng appeals from the entry of a protection from abuse order by the District Court (Bangor, *Campbell, J.*) against Peng on behalf of her daughter, a minor. Contrary to Peng's contention, the court did not err in considering her daughter's testimony because the court "has broad discretion in controlling the presentation of evidence," *Hutchinson v. Cobb*, 2014 ME 53, ¶ 6, 90 A.3d 438, and Peng either waived or failed to preserve any objection to the manner in which the court took the daughter's testimony when she failed to object either before or after the court interviewed the child on the record. *See Sewall v. Spinney Creek Oyster Co.*, 421 A.2d 36, 39 (Me. 1980).

The court also did not err in finding, by a preponderance of the evidence, that Peng had abused her daughter. *See* 19-A M.R.S. § 4006(1) (2015). The court found the child both competent and credible and "[i]t is well established that determinations regarding witness credibility are the exclusive province of the fact-finder." *Preston v. Tracy*, 2008 ME 34, ¶ 11, 942 A.2d 718. Further, because Peng did not move for additional findings of fact regarding the court's finding of abuse, we infer that the trial court made all findings necessary to support its

judgment, *see Finucan v. Williams*, 2013 ME 75, ¶ 16, 73 A.3d 1056, and, in fact, those findings are supported by the record.

The entry is:

Judgment affirmed.

On the briefs:

Yi Peng, appellant, pro se

Brian Danielson, appellee, pro se