

JENNIFER L. GOLDSMITH

v.

BROC A. MCGOWAN

Submitted on Briefs July 19, 2017

Decided July 27, 2017

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

MEMORANDUM OF DECISION

Jennifer L. Goldsmith appeals from a judgment entered by the District Court (Skowhegan, *Benson, J.*) denying her motion to hold Broc A. McGowan in contempt for failing to pay a debt imposed on him by the parties' modified divorce judgment. Contrary to Goldsmith's contention, the court did not abuse its discretion in denying the motion given its supported factual finding that McGowan had no present ability to pay the debt from resources that he controlled. *See MacMahon v. Tinkham*, 2015 ME 9, ¶¶ 4, 10-11, 109 A.3d 1141 (stating that on a motion for contempt factual findings are viewed in the light most favorable to the judgment and reviewed for clear error, and the ultimate denial of the motion is reviewed for an abuse of discretion); *Efstathiou v. Efstathiou*, 2009 ME 107, ¶ 11, 982 A.2d 339. On this record Goldsmith has not met her "very high burden" to demonstrate that "the evidence *compels* a finding of contempt." *MacMahon*, 2015 ME 9, ¶¶ 11-12, 109 A.3d 1141.

The entry is:

Judgment affirmed.

Aaron B. Rowden, Esq., Schneider & Brewer, Waterville, for appellant Jennifer Goldsmith

Broc A. McGowan did not file a brief

Skowhegan District Court docket number FM-2013-326
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