

LAURA M. LARSON

v.

MICHAEL J. WATTS

Submitted on Briefs September 27, 2017  
Decided October 5, 2017

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

## MEMORANDUM OF DECISION

Michael J. Watts appeals from a judgment entered by the District Court (Farmington, *Ende, J.*) denying Watts's motion to amend the judgment and for a new trial, following the court's denial in part of Watts's motions to hold Laura M. Larson in contempt for alleged parental alienation of the parties' daughter, and to modify the parental rights and responsibilities provisions of the parties' amended divorce judgment. Contrary to Watts's contention, the court did not err in considering an affidavit from the child's counselor because Watts forfeited any objection to the affidavit's admissibility by repeatedly questioning Larson concerning its substance at the evidentiary hearing on his motions. *See State v. Rega*, 2005 ME 5, ¶ 17, 863 A.2d 917; *see also Samsara Mem'l Tr. v. Kelly, Remmel & Zimmerman*, 2014 ME 107, ¶ 25, 102 A.3d 757 (noting that a party's failure to make a timely motion may result in a forfeiture of the party's right to object); *State v. Christianson*, 404 A.2d 999, 1005 (Me. 1979) (noting that the failure to object to the admissibility of evidence at trial may effect a forfeiture of the right to raise a challenge on appeal).

On whole, the record supports the court's conclusion that Watts "failed to meet his burden, to show, by clear and convincing evidence, that [Larson] had contumaciously violated the parental rights and responsibilities portion" of the parties' divorce judgment. *See MacMahon v. Tinkham*, 2015 ME 9, ¶ 10, 109 A.3d 1141 ("We review the factual findings that form the basis for the trial court's decision regarding motions for contempt for clear error and the ultimate denial of a motion for civil contempt for abuse of discretion." (alterations, citation, and quotation marks omitted)).

The entry is:

Judgment affirmed.

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Laura M. Larson, appellee pro se