

AMANDA E. (RAGO) SEDGEWICK

v.

NICHOLAS W. RAGO

Argued February 6, 2019
Decided February 21, 2019

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

MEMORANDUM OF DECISION

Nicholas W. Rago appeals from a divorce judgment entered in the District Court (York, *Cantara, J.*), approving the final report of a referee issued on the complaint of Amanda E. (Rago) Sedgewick. *See* 19-A M.R.S. § 252 (2018). Contrary to Rago's contentions, we discern no error of fact or law in the referee's determinations that certain of the parties' assets and debts are marital, *see* 19-A M.R.S. § 953(2)-(3) (2018); *Finucan v. Williams*, 2013 ME 75, ¶ 19, 73 A.3d 1056; in the valuation of the marital property, *see Berntsen v. Berntsen*, 2017 ME 111, ¶ 13, 163 A.3d 820; or in the assignment of the burden of proof in considering the scope and value of the marital estate, *see Violette v. Violette*, 2015 ME 97, ¶¶ 21, 24, 27, 120 A.3d 667; *Doucette v. Washburn*, 2001 ME 38, ¶ 19, 766 A.2d 578. The referee also did not abuse her discretion in dividing the marital property, *see* 19-A M.R.S. § 953(1) (2018); *Wechsler v. Simpson*, 2016 ME 21, ¶ 12, 131 A.3d 909, or in declining to award Rago reimbursement support, *see* 19-A M.R.S. § 951-A(2)(C) (2018); *Warren v. Warren*, 2005 ME 9, ¶ 43, 866 A.2d 97.

Further, the referee did not violate Rago's procedural due process rights or otherwise abuse her discretion by denying Rago's request for a hearing filed pursuant to M.R.G.A.L. 5(i)(3). *See* U.S. Const. amend. XIV; Me. Const. art. I, § 6-A; *In re Heather C.*, 2000 ME 99, ¶ 22, 751 A.2d 448.

Finally, the referee's award of parental rights and responsibilities, including the calculation of income for child support purposes and the application of the best interest factors in 19-A M.R.S. § 1653(3) (2018), is supported by competent record evidence and reflects no abuse of discretion. *See Vibert v. Dimoulas*, 2017 ME 62, ¶ 15, 159 A.3d 325.

The entry is:

Judgment affirmed.

Timothy E. Zerillo, Esq. (orally), Zerillo Law Firm, LLC, Portland, for appellant Nicholas W. Rago

Susan S. Bixby, Esq. (orally), MittelAsen, LLC, Portland, for appellee Amanda E. (Rago) Sedgewick