

JAMES P. MCLEOD

v.

NICHOLE L. MCLEOD

Submitted on Briefs June 26, 2019
Decided July 2, 2019

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

MEMORANDUM OF DECISION

James P. McLeod appeals from a judgment of the District Court (Bangor, *Larson, J.*) in favor of Nichole L. McLeod on James's protection from abuse complaint filed on behalf of his and Nichole's two minor children. Contrary to James's contention, the court was not compelled to find that Nichole abused the children within the meaning of 19-A M.R.S. § 4002(1) (2018), and the court acted within its prerogative in determining that the evidence of abuse was not credible.¹ See 19-A M.R.S. § 4006(1) (2018); *Harris Mgmt., Inc. v. Coulombe*, 2016 ME 166, ¶ 13, 151 A.3d 7; *Amero v. Amero*, 2016 ME 150, ¶ 13, 149 A.3d 535.

¹ Because the court declined to credit the evidence of abuse—which, by itself, supports the court's denial of the requested relief as to all of the bases asserted by James—we do not consider James's additional argument regarding the interpretation of the protection from abuse statute as a matter of law.

The entry is:

Judgment affirmed.

Gene Sullivan Jr., Esq., Law Office of Joseph Baldacci, Bangor, for appellant
James P. McLeod

Michael P. Harman, Esq., Bloomer Russell Beaupain, Bangor, for appellee
Nichole L. McLeod

Bangor District Court docket number PA-2018-490
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