

PATRICIA L. COX

v.

BRUCE A. COX

Argued June 11, 2019

Decided July 18, 2019

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

#### MEMORANDUM OF DECISION

Patricia L. Cox appeals from the judgment of the District Court (Rumford, *Dow, J.*) denying her motion for relief from her and Bruce A. Cox’s amended divorce judgment. *See* 14 M.R.S. § 1901 (2018); M.R. Civ. P. 60(a), (b)(6); M.R. App. P. 2B(c). Contrary to Patricia’s assertion, the court did not abuse its discretion in interpreting its judgment—containing the language, “There shall be no arrearage owed by [Bruce]”—as incorporating the parties’ agreement to waive all arrearage owed by Bruce. *See Blanchard v. Sawyer*, 2001 ME 18, ¶ 4, 769 A.2d 841; *Weiss v. Brown*, 1997 ME 57, ¶ 6, 691 A.2d 1208. Also, the court neither erred as a matter of law in concluding that the parties could waive, nor clearly erred in finding that the parties had waived, Bruce’s obligation to pay child support arrearage. *See Dunwoody v. Dunwoody*, 2017 ME 21, ¶ 11, 155 A.3d 422; *McCarthy v. Goroshin*, 2016 ME 98, ¶¶ 8-9, 143 A.3d 138. Accordingly, the court did not abuse its discretion in denying Patricia’s Rule 60 motion because there was neither a clerical error nor any mistake in the judgment. *See Merrifield v. Hadlock*, 2009 ME 1, ¶ 5, 961 A.2d 1107; *Bean v. Cummings*, 2008 ME 18, ¶ 18, 939 A.2d 676; *Ezell v. Lawless*, 2008 ME 139, ¶ 19, 955 A.2d 202; *Jenkins, Inc. v. Walsh Bros.*, 2002 ME 168, ¶ 16, 810 A.2d 929.

The entry is:

Judgment affirmed.

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Theodore Small, Esq. (orally), Skelton Taintor & Abbott, Auburn, for appellant  
Patricia L. Cox

Ronald G. Aseltine, Esq. (orally), Ronald G. Aseltine, Esq., P.A., Livermore Falls,  
for appellee Bruce A. Cox

Rumford District Court docket number FM-2014-91  
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