

CHRISTINA MCLEOD<sup>1</sup>

v.

DOUGLAS STARBIRD

Submitted on Briefs September 10, 2019  
Decided September 17, 2019

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

#### MEMORANDUM OF DECISION

Christina McLeod appeals from a judgment of the District Court (Bangor, *Larson, J.*) denying her request for a protection from harassment order against Douglas Starbird. Contrary to McLeod's contentions, the court was not compelled to find that McLeod met her burden of establishing, by a preponderance of the evidence, that Starbird harassed her within the meaning of 5 M.R.S. § 4651(2) (2017).<sup>2</sup> See 5 M.R.S. § 4654(1) (2018); 17-A M.R.S. §§ 2(5), 35(1)(A), (2)(A), 209(1) (2018); *Harris Mgmt., Inc. v. Coulombe*, 2016 ME 166, ¶ 13, 151 A.3d 7; see also *Vibert v. Dimoulas*, 2017 ME 62, ¶ 16, 159 A.3d 325.

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<sup>1</sup> Cognizant of the federal Violence Against Women Act, we note that this matter does not involve a judicial determination that domestic violence or stalking occurred, and we therefore name McLeod in the decision. See 18 U.S.C.S. §§ 2261, 2261A, 2265(d)(3), 2266 (LEXIS through Pub. L. No. 116-29).

<sup>2</sup> Section 4651(2) has since been amended, but not in any way that affects this appeal. P.L. 2017, ch. 455, § 1 (effective Dec. 13, 2018) (codified at 5 M.R.S. § 4651 (2018)).

The entry is:

Judgment affirmed.

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

Douglas Starbird did not file a brief

Bangor District Court docket number PA-2018-489  
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