

MICHAEL W. STOW

v.

MARISA N. HERNANDEZ-STOW

Submitted on Briefs May 4, 2020
Decided May 12, 2020

Panel: MEAD, GORMAN, JABAR, HUMPHREY, HORTON, and CONNORS, JJ.

MEMORANDUM OF DECISION

Marisa N. Hernandez-Stow appeals from a divorce judgment entered by the District Court (Calais, *D. Mitchell, J.*) that, inter alia, awarded shared parental rights and responsibilities concerning the parties' daughter, with primary residence of the child allocated to Michael W. Stow. Contrary to Marisa's contention, the court did not abuse its broad discretion in declining to admit copies of text messages in evidence, given that Marisa testified to their substance in presenting her case. *See Guardianship of David P.*, 2018 ME 151, ¶ 6, 196 A.3d 896 ("Trial courts have broad discretion in determining the admissibility of evidence."); M.R. Evid. 403.

Moreover, even if, *arguendo*, the court erred, on this record the error was harmless. *See* M.R. Civ. P. 61; *Dow v. Billing*, 2020 ME 10, ¶ 29, 224 A.3d 244 (concluding that "it is highly probable that the court's [judgment] was not affected by any error," and so a potential error was harmless).

The entry is:

Judgment affirmed.

Robert Van Horn, Esq., Van Horn Law Office, Ellsworth, for appellant Marisa N. Hernandez-Snow

Donald Brown, Esq., Don Brown Law, Brewer, for appellee Michael W. Stow

Calais District Court docket number FM-2019-43
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