

PAT DOE¹

v.

ROBERT RAITEN

Submitted on Briefs January 20, 2021
Decided January 28, 2021

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

MEMORANDUM OF DECISION

Robert Raiten appeals from a judgment of the District Court (Springvale, *D. Driscoll, J.*) granting Pat Doe's second motion to extend a protection from abuse order and denying Raiten's motion to modify or enforce a parental rights and responsibilities order regarding the parties' minor child. Contrary to Raiten's contentions, there was competent evidence in the record to support the court's findings that Raiten abused Doe and that an extended order of protection was necessary to protect her from the threat of continuing harm related to the abuse underlying the protection order.² See 19-A M.R.S. § 4007(2) (2020); M.R. Civ. P. 52; *Sulikowski v. Sulikowski*, 2019 ME 143, ¶¶ 10, 216 A.3d 893; *Doe v. Tierney*, 2018 ME 101, ¶¶ 10-18, 189 A.3d 756.

¹ In accordance with federal law, 18 U.S.C.S. § 2265(d)(3) (LEXIS through Pub. L. No. 116-259), we do not identify the plaintiff in this protection from abuse action.

² To the extent that Raiten argues that the court erred by finding that there had been a prior finding of abuse upon Doe's first motion to extend the protection order, we need not reach that issue because the court in the present matter *independently* found that Raiten had abused Doe based on competent record evidence after a contested hearing.

Finally, because Raiten bore the burden of proof on his motion to modify or enforce, he must demonstrate on appeal that the evidence compelled the court to make the findings necessary to grant his motion. *See* 19-A M.R.S. § 1657 (2020); *Roalsvik v. Comack*, 2019 ME 71, ¶ 2, 208 A.3d 367. The record reveals that the court was not compelled to find that Raiten’s completion of a parenting class constituted a substantial change in circumstances. Furthermore, the court neither erred nor abused its discretion by denying Raiten’s motion based on its finding that there is a continued need for supervision of the father’s contact with the child to protect the child’s safety and well-being. *See* 19-A M.R.S. § 1653(3) (2020).

The entry is:

Judgment affirmed.

Robert Raiten, appellant pro se

Pamela Holmes, Esq., and Mary-Ann Letourneau, Esq., Holmes Legal Group, LLC,
Wells, for appellee Pat Doe