

REBEKAH A. (OUELLETTE) BRESETT

v.

JOEY OUELLETTE

Submitted on Briefs July 13, 2021
Decided July 20, 2021

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

MEMORANDUM OF DECISION

Joey Ouellette appeals from a divorce judgment entered in the District Court (Fort Kent, *Soucy, J.*) on Rebekah A. (Ouellette) Bresett’s complaint. Contrary to Ouellette’s contention, the court’s determination of Ouellette’s annual income for purposes of calculating his child support obligation is supported by competent record evidence, and we discern no clear error in that determination. *See Ehret v. Ehret*, 2016 ME 43, ¶ 14, 135 A.3d 101. The court also did not abuse its discretion in distributing the marital property, *see* 19-A M.R.S. § 953 (2021); *Dow v. Billing*, 2020 ME 10, ¶ 26, 224 A.3d 244, or in denying Ouellette’s motion to reopen the evidence, *see* M.R. Civ. P. 43(j); *Dalphonse v. St. Laurent & Son, Inc.*, 2007 ME 53, ¶¶ 15-16, 922 A.2d 1200.¹

¹ Throughout his brief, Ouellette—through his attorney—advances a series of ad hominem attacks and unsupported accusations of bias and indolence by the trial court. We remind counsel that “hyperbole, ad hominem attacks, and a manufactured sense of outrage, while possibly desired by clients, are not only routinely unpersuasive, but may in fact detract from any actual solid legal argument made by counsel.” *Gammon v. Boggs*, 2018 ME 152, ¶ 13, 196 A.3d 900; *see In re M.E.*, 2016 ME 1, ¶ 15 & n.5, 131 A.3d 898 (suggesting that such language from an attorney implicates the Maine Rules of Professional Conduct); *Dalton v. Dalton*, 2014 ME 108, ¶ 25, 99 A.3d 723 (“That a court has decided disputed issues of law and fact against a party is not, without more, evidence of lack of impartiality. And without a firm foundation upon which accusations of personal bias, prejudice, or

The entry is:

Judgment affirmed.

Theodore M. Smith, Esq., Smith Law Office, LLC, Van Buren, for appellant Joey Ouellette

Rebekah A. (Ouellette) Bresett did not file a brief

Fort Kent District Court docket number FM-2019-61
FOR CLERK REFERENCE ONLY

impropriety can stand, baseless charges of misconduct are patently inappropriate.” (citation omitted)). This is the second time that we have had cause to remind this counsel that such statements are “improper and beneath the dignity of the bar.” *Charette v. Charette*, 2013 ME 4, ¶ 20 n.1, 60 A.3d 1264.