

JESSICA MACDONALD

v.

ASHLEY VIEIRA

Submitted on Briefs October 18, 2023

Decided November 14, 2023

Panel: STANFILL, C.J., and MEAD, JABAR, HORTON, CONNORS, LAWRENCE,  
and DOUGLAS, JJ.

## MEMORANDUM OF DECISION

Ashley Vieira appeals from a protection from harassment order entered against her in the District Court (Biddeford, *Martemucci, J.*) after a testimonial hearing on Jessica MacDonald's<sup>1</sup> complaint. Vieira contends on appeal that the court would not allow her to present evidence located on her phone and had she been able to, judgment would have resulted in her favor. However, although the hearing was recorded, Vieira has not provided a transcript. *See* M.R. App. P. 5(b) (requiring a print transcript to be part of the record on appeal if available, unless excused for good cause). Because the record does not include a transcript of the proceedings, "we will assume that the transcript would support the trial court's findings of fact and its rulings on evidence and procedure." *Greaton v. Greaton*, 2012 ME 17, ¶¶ 2-6, 36 A.3d 913; *see Alley v. Alley*, 2002 ME 162, ¶¶ 1-2, 809 A.2d 1262.

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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 Jessica MacDonald in the decision. *See* 18 U.S.C.A. §§ 2261, 2261A, 2265(d)(3), 2266 (Westlaw through Pub. L. No. 118-19)

The entry is:

Judgment affirmed.

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Ashley Vieira, appellant pro se

Jessica MacDonald did not file a brief

Springvale District Court docket number PA-2023-93  
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