

IN RE CHILDREN OF MICHAEL W.

Submitted on Briefs December 28, 2022

Decided January 5, 2023

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

MEMORANDUM OF DECISION

In this consolidated appeal, Michael W. appeals from orders entered by the District Court (Portland, *Cashman, J.*) denying his motion for relief from a jeopardy order and denying his motion to amend or alter a parental rights and responsibilities order. *See* M.R. Civ. P. 59(e), 60(b)(6). Contrary to the father’s contentions, the court did not abuse its discretion in denying the father’s motion for relief from judgment because more than twenty-one days passed between entry of the underlying jeopardy order and the filing of the motion for relief from judgment. *See In re Child of Radiance K.*, 2019 ME 73, ¶¶ 58-59, 208 A.3d 380; *see also* M.R. Civ. P. 60(b)(6). Further, the court did not abuse its discretion in denying the father’s motion to alter or amend the parental rights and responsibilities order because, as the court observed, the motion sought to “reargue[] points that were or could have been presented at trial.” *See Most v. Most*, 477 A.2d 250, 260 (Me. 1984); *Perez v. Lorraine Enters.*, 769 F.3d 23, 32 (1st Cir. 2014); M.R. Civ. P. 59(e); *cf. Shaw v. Shaw*, 2003 ME 153, ¶ 8, 839 A.2d 714 (holding that a motion for reconsideration is not a vehicle for rearguing points that could have been made at trial).

The entry is:

Judgment affirmed.

Jeffrey Bennett, Esq., Legal-Ease, LLC, P.A., South Portland, for appellant Michael W.

Aaron M. Frey, Attorney General, and Hunter C. Umphrey, Asst. Atty. Gen., Office of the Attorney General, Bangor, for appellee Department of Health and Human Services

Portland District Court docket numbers FM-2017-1061, FM-2020-526, and PC-2020-20
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