

JUSTIN PAUL

v.

BRITTANY PAUL

Submitted on Briefs February 21, 2024  
Decided February 29, 2024

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

## MEMORANDUM OF DECISION

Justin Paul appeals from two decisions of the District Court (Biddeford, *Martemucci, J.*): (1) a judgment modifying the parties' 2021 divorce judgment and finding only one ground for contempt by Brittany Paul, and (2) an order denying Justin's motion for additional findings of fact, to alter or amend the judgment, for a new trial, and for relief from judgment. Contrary to his contention, the court did not err or abuse its discretion in assessing the best interests of the parties' two children and establishing primary residence and final decision-making authority in the event of disagreement with Brittany, *see* 19-A M.R.S. § 1653(2)(D), (3) (2023); *Akers v. Akers*, 2012 ME 75, ¶ 2, 44 A.3d 311; *Klein v. Klein*, 2019 ME 85, ¶ 5, 208 A.3d 802; determining Brittany's income based on the evidence and reasonable inferences drawn from that evidence for purposes of determining child support, *see Howard v. White*, 2024 ME 9, ¶ 7, --- A.3d ---; *Buck v. Buck*, 2015 ME 33, ¶ 5, 113 A.3d 1095; or admitting the guardian ad litem's report despite its tardiness, *see Capelety v. Estes*, 2023 ME 50, ¶ 21, 300 A.3d 817; *cf. Johnson v. Carleton*, 2001 ME 12, ¶ 10 n.4, 765 A.2d 571. Nor did the record before the court compel it to exercise its discretion to find Brittany in contempt for the other conduct identified by Justin in his briefs. *See Beckerman v. Pooler*, 2015 ME 80, ¶ 7, 119 A.3d 74; *Efstathiou v.*

*Efstathiou*, 2009 ME 107, ¶ 8, 982 A.2d 339; *Gillman v. Dep't of Hum. Servs.*, 1998 ME 122, ¶ 10, 711 A.2d 154; M.R. Civ. P. 66(d)(2)(D).

Because the court's findings are sufficient for our review and support its discretionary determinations, we discern no abuse of discretion in the court's denial of Justin's motion for additional findings of fact, to alter or amend the judgment, for a new trial, and for relief from judgment. *See Wells Fargo Bank, N.A. v. Burek*, 2013 ME 87, ¶ 14, 81 A.3d 330; *Wooldridge v. Wooldridge*, 2008 ME 11, ¶ 7, 940 A.2d 1082; M.R. Civ. P. 52(b), 59(a), (e), 60(b). "We give due regard to the opportunity of the trial court to judge the credibility of the witnesses and weigh the evidence." *Gray v. Gray*, 609 A.2d 694, 697 (Me. 1992).

The entry is:

Judgment affirmed.

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Justin Paul, appellant pro se

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appellee Brittany Paul