

TIFFANY (NORTON) LEBLANC

v.

JOHN S. NORTON

Submitted on Briefs March 27, 2024  
Decided April 9, 2024

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

## MEMORANDUM OF DECISION

John S. Norton appeals from a divorce judgment entered by the District Court (Biddeford, *Tice, J.*) after a final hearing. Contrary to his contentions, the court did not err or abuse its discretion in (1) dividing equally the marital property in the parties' financial accounts, *see* 19-A M.R.S. § 953 (2023); *Sears v. Sears*, 2023 ME 45, ¶ 20, 299 A.3d 15; *Viola v. Viola*, 2015 ME 6, ¶ 9, 109 A.3d 634; (2) sanctioning John for a discovery violation after he failed to disclose his "Intent to File" Veterans Affairs forms, *see* M.R. Civ. P. 37(b); *Lentz v. Lentz*, 2017 ME 107, ¶ 15, 163 A.3d 122; *Camp Takajo, Inc. v. SimplexGrinnell, L.P.*, 2008 ME 153, ¶ 13, 957 A.2d 68; (3) determining that John was more capable of absorbing costs of litigation and awarding Tiffany \$7,500 in attorney fees, *see* 19-A M.R.S. § 952(3) (2023); *Riemann v. Toland*, 2022 ME 13, ¶ 25, 269 A.3d 229; and (4) awarding Tiffany \$1,000 per month for twelve months as transitional spousal support to bolster her workforce advancement

opportunities, see 19-A M.R.S. § 951-A(2)(B)(2) (2023); *Neri v. Heilig*, 2017 ME 146, ¶ 13, 166 A.3d 1020; *Nixon v. Nixon*, 2008 ME 157, ¶ 12, 2008 ME 157.<sup>1</sup>

The entry is:

Judgment affirmed.

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Matthew W. Howell, Esq., Clark & Howell, LLC, York, for appellant John S. Norton

Heather Seasonwein, Esq., Lewiston, for appellee Tiffany L. LeBlanc

York District Court docket number FM-2019-200  
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<sup>1</sup> John also argues that the court erred and abused its discretion when it did not sanction Tiffany after finding she violated the preliminary injunction issued pursuant to 19-A M.R.S. § 852 (2023) by withdrawing funds from a marital account without the permission of John or the court. We conclude this issue was not adequately preserved and therefore decline to address it. See *Desjardins v. Desjardins*, 2005 ME 77, ¶ 2, 876 A.2d 26; *Warren Const. Grp., LLC v. Reis*, 2016 ME 11, ¶ 9, 130 A.3d 969.

Even if we were to examine the merits of John's argument, the court found that John had argued the referee should "take [Tiffany's withdrawal] into consideration when determining an equitable division of the marital estate." Competent evidence supports the court's findings, and we discern no abuse of discretion in the court's equitable division of the marital estate. See 19-A M.R.S. § 953 (2023); *Viola v. Viola*, 2015 ME 6, ¶ 9, 109 A.3d 634.