

PAT DOE¹

v.

SIMONE EMMONS

Submitted on Briefs June 20, 2024
Decided June 27, 2024

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

MEMORANDUM OF DECISION

Simone Emmons appeals from a judgment of the District Court (Portland, *Nofsinger, J.*), following a consolidated hearing on the parties' complaints, denying her request for an order of protection from abuse against Pat Doe on behalf of herself and the parties' three minor children and granting Doe's request for an order of protection from abuse against Emmons on behalf of the children. We conclude that there was sufficient evidence for the court to find by a preponderance of the evidence that Emmons abused the children.² *See*

¹ Pursuant to federal law, we do not identify the plaintiff who prevailed after the consolidated hearing on the parties' protection from abuse actions and we limit our description of events and locations to avoid revealing "the identity or location of the party protected under [a protection] order" as required by 18 U.S.C. § 2265(d)(3) (Westlaw through Pub. L. No. 118-64). *See Doe v. Tierney*, 2018 ME 101, n.1, 189 A.3d 756.

² Because the court's findings of abuse were supported in the record, the court did not abuse its discretion by limiting Emmons's contact rights with the children. *See* 19-A M.R.S. § 4110(3)(I) (2023).

19-A M.R.S. §§ 4102(1)(A), (B), 4103(2)(A) (2023);³ *Bergin v. Bergin*, 2019 ME 133, ¶ 12, 214 A.3d 1071; *Walton v. Ireland*, 2014 ME 130, ¶ 23, 104 A.3d 883. Furthermore, the evidence did not compel the court to find that Doe abused Emmons or the children. See 19-A M.R.S. § 4102(1); *Handrahan v. Malenko*, 2011 ME 15, ¶ 13, 12 A.3d 79; *Preston v. Tracy*, 2008 ME 34, ¶ 10, 942 A.2d 718; *Doe v. Tierney*, 2018 ME 101, ¶ 15, 189 A.3d 756. Finally, we conclude that the court adequately considered and addressed Emmons’s requests for disability accommodations. See *Blackhouse v. Doe*, 2011 ME 86, ¶ 16, 24 A.3d 72; cf. *Morrison v. Sayer*, 2011 ME 136, ¶¶ 9-11, 33 A.3d 432 (vacating order of protection from abuse when court’s failure to provide accommodations deprived defendant of “the opportunity to be heard”).

The entry is:

Judgment affirmed.

Simone Emmons, appellant pro se

Pat Doe, appellee pro se

Portland District Court docket numbers PA-2023-781 and PA-2023-190
FOR CLERK REFERENCE ONLY

³ Title 19-A M.R.S. § 4102 has since been amended, though the amendments are not relevant to this case. P.L. 2023, ch. 519, §§ 4-5 (emergency, effective Mar. 6, 2024) (to be codified at 19-A M.R.S. § 4102(1)(A), (B)).