

PAUL S. GIAN SIRACUSA IV

v.

SAMANTHA K. HUNT

Submitted on Briefs April 23, 2025
Decided May 1, 2025

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

MEMORANDUM OF DECISION

Paul S. Giansiracusa IV and Samantha K. Hunt appeal from a judgment of the District Court (Rockland, *Gilbert, J.*) granting Hunt's motion to modify a 2023 parental rights and responsibilities order and denying each party's motion for contempt. Contrary to the parents' contentions, the court's findings are amply supported by competent evidence in the record, and the court did not abuse its discretion in (1) determining the schedule of contact, (2) preserving the father's final decision-making authority in the event that the parents disagree, and (3) establishing reasonable measures to keep the child safe during contact with the mother, including by prohibiting her from using substances in the child's presence and from driving with the child without a valid license. *See Emerson v. Laffan*, 2021 ME 53, ¶ 8, 263 A.3d 160; *Jenkins, Inc. v. Walsh Bros.*, 2001 ME 98, ¶ 22, 776 A.2d 1229; 19-A M.R.S. § 1653(3)(A), (D), (I), (N), (S) (2025). The evidence presented did not compel a finding that either party was in contempt of the original order of parental rights and responsibilities. *See MacMahon v. Tinkham*, 2015 ME 9, ¶¶ 11-12, 109 A.3d 1141; M.R. Civ. P. 66(d)(2)(D). A provision in the original order that remains in

effect establishes the father's ongoing obligation to provide the mother with the address where he resides with the child.¹

The entry is:

Judgment affirmed.

Samantha Hunt, appellant pro se

Paul S. Giansiracusa, appellee pro se

Rockland District Court docket number FM-2021-8
FOR CLERK REFERENCE ONLY

¹ Although the father additionally argues that the judge who ruled in the matter was biased, he did not move for the judge to recuse, and the record does not demonstrate bias. *See* M.R. Civ. P. 63(b)(2); *Dalton v. Dalton*, 2014 ME 108, ¶ 25, 99 A.3d 723 (“That a court has decided disputed issues of law and fact against a party is not, without more, evidence of lack of impartiality.”).

Although the mother additionally argues that the father has not complied with the ordered rights of contact since the court entered the order on appeal, this argument is not properly before us because (1) the mother raised the issue only in her reply brief and (2) the facts she asserts are not part of the record on appeal. *See Bayview Loan Servicing, LLC v. Bartlett*, 2014 ME 37, ¶ 24, 87 A.3d 741; M.R. App. P. 5(a), 7A(c).