

LINDA COSGROVE

v.

DAVID MAZEROLLE

Submitted on Briefs February 11, 2002
Decided February 13, 2002

Panel: SAUFLEY, C.J., and CLIFFORD, RUDMAN, DANA, ALEXANDER, and
CALKINS, JJ.

MEMORANDUM OF DECISION

David Mazerolle appeals from a judgment entered in District Court (Lewiston, *McElwee, J.*) amending a family matter judgment by granting primary physical residence of the child of Mazerolle and Linda Cosgrove to Cosgrove. Contrary to Mazerolle's contentions, the District Court did not clearly err in finding a change in circumstances nor did it exceed its discretion in determining that it was in the best interest of the child to reside primarily with Cosgrove. Although the court did not discuss each of the factors contained in 19-A M.R.S.A. § 1653(3) (1998 & Supp. 2001), its findings of fact indicate that it considered the factors and based its decision upon the best interest of the child. *See McCormick v. McCormick*, 513 A.2d 266, 268 (Me. 1986).

The entry is:

Judgment affirmed.

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Appellee did not file a brief.