

DEBRA PELLOWITZ

v.

RANDY H. PELLOWITZ

Submitted on Briefs February 27, 2002
Decided April 1, 2002

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

MEMORANDUM OF DECISION

Randy Pellowitz appeals from the denial of his motion for reconsideration of the protection from abuse order entered against him in the District Court (Bridgton, *Eggert, J.*). Contrary to Pellowitz's argument, the court did not exceed the bounds of its discretion in denying his motion to continue the hearing. *See Waxler v. Me. Real Estate Comm'n*, 1998 ME 65, ¶ 4, 708 A.2d 663, 665. Furthermore, because no transcript of the proceedings was included in the record, nor any factual findings made by or requested from the court, we are without sufficient record to evaluate Pellowitz's argument that the court's factual finding of abuse pursuant to 19-A M.R.S.A. § 4007 (1998 & Supp. 2001) is clear error. *See Emery v. Emery*, 476 A.2d 193, 196 (Me. 1984); *O'Halloran v. Oechsle*, 402 A.2d 67, 69 (Me. 1979).

The entry is:

Judgment affirmed.

For appellant:

Randy H. Pellowitz
Building 5751
P O Box 2000
Fort Dix, NJ 08640

Attorney for appellee:

Juliet Holmes-Smith, Esq.
Pine Tree Legal Assistance, Inc.
P O Box 547
Portland, ME 04112