

RICHARD A. BEAULIEU

v.

ERNA J. SILKE-BEAULIEU

Submitted on Briefs July 9, 2003
Decided July 16, 2003

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

MEMORANDUM OF DECISION

Erna Silke-Beaulieu appeals from a divorce judgment entered in the District Court (Newport, *MacMichael, J.*) after a hearing that she failed to attend. In support of her appeal, Erna improperly relies upon various documents that were not introduced in the District Court and are not included in the record on appeal. *See* M.R. App. P. 8(c)(2) (“The appendix shall not include any documents that are not a part of the trial court file or the record on appeal, other than a supplement of legal authorities authorized in subdivision (1) hereof.”); *Nicholson v. Nicholson*, 510 A.2d 1075, 1076 (Me. 1986). Consequently, the District Court did not commit

clear error in its factual findings. *See Tibbetts v. Tibbetts*, 2000 ME 210, ¶ 6, 762 A.2d 937, 939.

Contrary to Erna's claims, the court did not commit an abuse of discretion regarding its (1) distribution of marital property and the parties' debts, 19-A M.R.S.A. § 953(1) (1998), and (2) decision not to award spousal support to her, 19-A M.R.S.A. § 951-A(2) (Supp. 2002). *See Murphy v. Murphy*, 2003 ME 17, ¶¶ 13, 27, 816 A.2d 814, 818, 822. The court also did not abuse its discretion when it refused to continue the final hearing, after having already delayed the commencement because of inclement weather in order to accommodate Erna's travel to court. *See Provenzano v. Deloge*, 2000 ME 149, ¶ 11, 755 A.2d 549, 551.

The entry is:

Judgment affirmed.

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