

VICKI McMAHAN

v.

DAVID SMITH

Submitted on Briefs October 1, 2003

Decided October 15, 2003

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

MEMORANDUM OF DECISION

David Smith appeals from the judgment of the District Court (Portland, *Eggert, J.*), granting a final protection from abuse order to Vicki McMahan. Smith's contentions on appeal relate solely to the sufficiency of the evidence presented before the court in support of its decision. Because Smith has provided no transcript of the proceedings and no proper statement of the evidence in lieu of a transcript, in compliance with M.R. App. P. 5(d) or (f), we must infer that the evidence was sufficient to support the trial court's findings. *See Alley v. Alley*, 2002 ME 162, ¶ 2, 809 A.2d 1262, 1262.

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Timothy H. Boulette, Esq.
Murray Plumb & Murray
P O Box 9785
Portland, ME 04104-5085

Attorney for defendant:

Kevin R. Heffernan, Esq.
503 Woodfords Street
Portland, ME 04103