

CHRISTAL (THOMAS) TREADWELL

v.

PATRICK L. THOMAS

Submitted on Briefs November 25, 2003  
Decided December 1, 2003

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

MEMORANDUM OF DECISION

Christal Treadwell appeals from a judgment entered in the District Court (Rumford, *Carlson*, CMO) modifying a child support order. Contrary to her contentions, the trial court did not abuse its discretion in not deviating from the child support payments determined by the child support guidelines, *see Nicholson v. Nicholson*, 2000 ME 12, ¶ 9, 747 A.2d 588, 591; nor did the trial court abuse its discretion in calculating Mr. Thomas's gross income without including the difference between his present earnings and his earning capacity. *See Dep't of Human Servs. v. Frye*, 2000 ME 128, ¶ 11, 754 A.2d 1000, 1002-03.

The entry is:

Judgment affirmed.

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