

DIANNA L. MARINO

v.

DON S. TOLLESON

Submitted on Briefs July 1, 2004
Decided July 27, 2004

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

MEMORANDUM OF DECISION

Don S. Tolleson appeals from a protection from abuse order entered in District Court (Ellsworth, *Staples, J.*) in favor of his former partner, Dianna L. Marino. Contrary to Tolleson's contention, the court's findings that Marino had suffered abuse at the hands of Tolleson, and that he posed a credible threat to her physical safety, were supported by competent evidence and thus did not constitute clear error. *See Smith v. Hawthorne*, 2002 ME 149, ¶¶ 15-19, 804 A.2d 1133, 1138-39.

Tolleson did not file a notice of appeal from the protection from harassment order entered in favor of Marino's son, Everett Marino, so we will not consider that claim.

The entry is:

Judgment affirmed.

For appellant:

Don S. Tolleson
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Appellee did not file a brief.