

MARK ROBINSON

v.

ROBIN ROBINSON

Submitted on Briefs January 13, 2004
Decided March 2, 2004

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

MEMORANDUM OF DECISION

Mark Robinson appeals from an amended divorce judgment entered in the District Court (Skowhegan, *Clapp, J.*). Except as addressed below, the court did not commit clear error with respect to the determination of marital and nonmarital property and the values of the property, *Kapler v. Kapler*, 2000 ME 131, ¶¶ 6, 9, 755 A.2d 502, 506-07, and did not abuse its discretion with respect to the equitable distribution of property, *id.* ¶ 8, 755 A.2d at 506. In addition, the court did not abuse its discretion in amending the divorce judgment pursuant to M.R.

Civ. P. 60(a) to address certain errors and mistakes in the original judgment. *See Allen v. Allen*, 603 A.2d 482, 483 (Me. 1992).

Both Mark and Robin agree that the court erred in awarding the two Skowhegan Savings Bank certificates of deposit solely to Robin as her separate nonmarital property because one certificate of deposit was owned jointly by the parties prior to the marriage, and the other certificate of deposit was acquired during the marriage and owned jointly by the parties. Accordingly, the judgment must be vacated as it relates to the two certificates of deposit and remanded for the court to reconsider the distribution of the two certificates of deposit.

The entry is:

Judgment affirmed in all respects except as to the two Skowhegan Savings Bank certificates of deposit. As to the two certificates of deposit, the judgment is vacated and remanded to the District Court for further proceedings consistent with this opinion.

Attorney for plaintiff:

Pamela J. Ames, Esq.
237 Main Street
Waterville, ME 04901

Attorney for defendant:

Paul Sumberg, Esq.
Wright & Mills, P.A.
PO Box 9
Skowhegan, ME 04976