

DAVID WARRINGTON

v.

THERESA McCARTHY

Submitted on Briefs February 26, 2004
Decided March 2, 2004

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

MEMORANDUM OF DECISION

Theresa McCarthy appeals from an order entered in District Court (Dover-Foxcroft, *Stitham, J.*) denying her request to cease all contact by David Warrington with the parties' minor child. Contrary to McCarthy's contentions, the court did not abuse its discretion in admitting a videotape into evidence, *see Ames v. Ames*, 2003 ME 60, ¶ 13, 822 A.2d 1201, 1206; the court's findings of fact are supported by the evidence and not clearly erroneous, *see Smith ex rel. Kate L. v. Hawthorne*, 2002 ME 149, ¶ 15, 804 A.2d 1133, 1138; and the court did not abuse its discretion in modifying the previous order of child contact by ordering specific dates and times for Warrington to have contact with the child, *see Ames*, 2003 ME 60, ¶ 30,

822 A.2d at 1210 (explaining that the court has discretion to fashion an award to serve the child's best interest if a pending motion generates the issue).

The entry is:

Judgment affirmed.

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