

CELESTE LAW

v.

ROBERT BOTHEN

Submitted on Briefs April 27, 2004
Decided June 2, 2004

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

MEMORANDUM OF DECISION

Celeste Law appeals from an order entered in the District Court (Bar Harbor, *Russell, J.*) granting Robert Bothen's motion for contempt pursuant to M.R. Civ. P. 66(d). Contrary to Law's contention, clear and convincing evidence in the record supports the District Court's factual findings and its conclusion that Law was in contempt of the divorce judgment, as amended, for obstructing Bothen's right to parent/child contact with the parties' older daughter in August 2003. *See Pratt v. Spaulding*, 2003 ME 56, ¶¶ 10, 13, 822 A.2d 1183, 1186, 1187. Furthermore, the District Court acted within its discretion by ordering a suspended jail sentence for civil contempt. The three-day suspended jail sentence is a remedial sanction

authorized by M.R. Civ. P. 66(d)(3)(A) and was designed to assure that Law, as the contemnor, performs the affirmative act of permitting Bothen seven days of compensatory parent/child contact time with the older daughter within a six-month period as ordered by the court.

We do not address various issues raised by Bothen because he failed to cross-appeal. *See* M.R. App. P. 2, 9(d).

The entry is:

Judgment affirmed.

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