

REBECCA LeCLAIR

v.

LLOYD E. TURNER JR.

Submitted on Briefs July 9, 2004

Decided July 20, 2004

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

MEMORANDUM OF DECISION

Lloyd E. Turner Jr. appeals from a disclosure order, requiring the sale of two lots of real estate, entered by the District Court (Ellsworth, *Staples, J.*).¹ Rebecca LeClair cross-appeals for a modification of the disclosure order if Turner's appeal succeeds. We agree with Turner's contention that the evidence was insufficient to support the issuance of a sale order of Turner's two lots. LeClair failed to prove that Turner's two lots were incapable of practical division or that the sale of the smaller lot would not fully satisfy the judgment. *See* 14 M.R.S.A. § 3131(2)(B)

¹ Turner does not appeal the portion of the disclosure order requiring him to turn over the proceeds of his bank accounts.

(2003). We decline LeClair's request for modification of the disclosure order for the same reason.

The entry is:

Disclosure order affirmed as to bank accounts and vacated as to sale of real estate.

Attorney for plaintiff:

Attorney for defendant: