

SUZANNE E. MOODY

v.

JAMES R. MOODY SR.

Submitted on Briefs June 1, 2004

Decided July 21, 2004

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

MEMORANDUM OF DECISION

James R. Moody Sr. appeals from a judgment of divorce entered in the District Court (Augusta, *Perry, A.R.J.*). He asserts that the court erred when it ordered him to pay alimony because the court did not take into account many of Suzanne E. Moody's assets.

After several continuances, and a no further continuances order, James did not appear at the final hearing and did not present any evidence to the court regarding Suzanne's alleged assets. On appeal, we cannot consider facts that were not before the District Court. *Bradstreet v. Bradstreet*, 2004 ME 5, ¶ 3, 840 A.2d 105, 106.

The entry is:

Judgment affirmed.

**Attorney for plaintiff:**

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