

DARLENE STILLMAN

v.

LEWIS STILLMAN

Submitted on Briefs June 2, 2005

Decided June 8, 2005

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

MEMORANDUM OF DECISION

Lewis Stillman appeals from a judgment entered in the Superior Court (Kennebec County, *Studstrup, J.*) denying his motion to modify the parties' divorce judgment by terminating spousal support and granting Darlene Stillman's motion to modify the divorce judgment by increasing the amount of spousal support. Lewis has provided only a partial transcript of the hearing, and in the absence of a complete transcript, we must assume it would support the court's factual findings. *See State v. Hughes*, 2004 ME 141, ¶ 7, 863 A.2d 266, 269. Contrary to Lewis's contentions, the court did not abuse its discretion in refusing to terminate spousal support on the grounds urged by Lewis: (1) that Darlene's SSI

income would increase if her spousal support was terminated, or (2) that Darlene's cohabitation with a domestic partner was tantamount to marriage, and marriage is a basis in the divorce judgment for termination of spousal support. Furthermore, the court did not abuse its discretion by denying Lewis's request to recuse.

The entry is:

Judgment affirmed.

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