

JODI BYNUM DUMAS

v.

DANIEL P. BRUCE

Submitted on Briefs September 16, 2005

Decided October 20, 2005

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

MEMORANDUM OF DECISION

Jodi Bynum Dumas appeals a decision of the District Court (Portland, *Beaudoin, J.*), denying her post-divorce judgment motion requesting that her federal tax debt and the business losses of her former husband, Daniel P. Bruce, be equitably apportioned between them as omitted marital property pursuant to 19-A M.R.S.A. § 953(9) (1998). Bruce cross-appeals the court's decision denying his request for an award of attorney fees. Contrary to her contention, Dumas failed to meet her burden to demonstrate that the divorce court abused its discretion in not allocating the federal tax debt and business losses as omitted marital property. *See Harriman v. Harriman*, 1998 ME 108, ¶ 9, 710 A.2d 923, 925. Contrary to

Bruce's contention, the motion court acted within its discretion in denying his request for an award of attorney fees. *See Ackerman v. Yates*, 2004 ME 56, ¶ 19, 847 A.2d 418, 424; *Murphy v. Murphy*, 2003 ME 17, ¶¶ 29-30, 816 A.2d 814, 823.

The entry is:

Judgment affirmed.

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