

JOHN H. PURINTON JR.

v.

SANDHYA MALTBY

Submitted on Briefs November 29, 2005  
Decided December 16, 2005

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

#### MEMORANDUM OF DECISION

John H. Purinton Jr. appeals from a divorce judgment entered in the District Court (Belfast, *Worth, J.*). Contrary to Purinton's contention, the court did consider the full value of Sandhya Maltby's nonmarital property prior to dividing the parties' marital property, as required by 19-A M.R.S.A. § 953(1)(B) (1998). Moreover, the court did not err or exceed its discretion in holding Purinton accountable for his failed investment. *See Axtell v. Axtell*, 482 A.2d 1261, 1263 (Me. 1984) (stating that "the court may consider other matters peculiar to the case under consideration in order to obtain a just result"); Levy, *Maine Family Law*:

*Divorce, Separation and Annulment* § 7.6.3-4(a) at 289-90 (2000 ed. 1999) (stating that a party to a divorce may be held accountable for his or her unreasonable investments that diminished the marital estate). Finally, the factual findings made as a predicate to the award of spousal support to Maltby were not clearly erroneous. See *Wrenn v. Lewis*, 2003 ME 29, ¶ 13, 818 A.2d 1005, 1009 (declaring a factual finding as clearly erroneous if there is no competent evidence to support it).

The entry is:

Judgment affirmed.

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