

FREDERICK J. HARRIGAN III

v.

JODY BARBIONI

Submitted on Briefs February 3, 2005  
Decided February 22, 2005

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

MEMORANDUM OF DECISION

Frederick J. Harrigan III appeals from the judgment of the District Court (Wiscasset, *Westcott, J.*) on the parties' post-judgment motions for modification of parental rights and responsibilities. The court denied Harrigan's post-judgment motion and granted Jody Barbioni's post-judgment motion for sole parental rights due to the high conflict nature of the parties' communications regarding their children and its impact on the children. Harrigan asserts that the court did not properly consider the best interests of the children in its ruling and that it improperly considered a protection from abuse action initiated by Harrigan while the post-judgment motion was pending. Review of the record demonstrates that

the court, in its ruling, did consider the best interests of the children, and that in its assessment of the high conflict nature of the relationship, the court did not give improper consideration to the protection from abuse action that Harrigan initiated while the matter was pending. While Harrigan may disagree with the court's view of the evidence, the record fully supports the District Court's decision. *See Rowland v. Kingman*, 1997 ME 80, ¶¶ 6-7, 692 A.2d 939, 942; *Cloutier v. Lear*, 1997 ME 35, ¶¶ 4-7, 691 A.2d 660, 662-63.

The entry is:

Judgment affirmed.

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**Defendant did not file a brief.**