

NANCY L. (BOYER) PIERCE

v.

JAMES L. BOYER

Submitted on Briefs January 20, 2006

Decided February 1, 2006

Revised February 17, 2006

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

#### MEMORANDUM OF DECISION

James L. Boyer appeals from a judgment entered in the District Court (Bridgton, *Oram*, CMO) amending his divorce judgment and ordering him to pay Nancy Pierce \$117 per week in child support. Boyer did not file an objection to the CMO's final order in the District Court, thereby waiving his right to appeal. *See* M.R. Fam. Div. III(G)(2). Accordingly, the appeal must be dismissed. *See* M.R. Fam. Div. III(G)(3). Moreover, the court did not err by determining that Boyer is voluntarily underemployed, and, therefore, imputing \$30,000 gross

income to him pursuant to 19-A M.R.S. § 2001(5)(D) (2005). *See Wrenn v. Lewis*, 2003 ME 29, ¶ 13, 818 A.2d 1005, 1009.

The entry is:

Appeal dismissed.

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**For plaintiff:**

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**For defendant:**

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