

VERNITA GROSS et al.

v.

KENNETH HARRIS

Submitted on Briefs February 27, 2006
Decided March 22, 2006

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

MEMORANDUM OF DECISION

Kenneth Harris appeals an order of the District Court (Springvale, *Wheeler, J.*) that extended an order for protection from abuse entered by the District Court (Springvale, *Kennedy, J.*) after a consent agreement between Harris and Vernita Gross. Contrary to Harris's contentions, the court did not err when it interpreted 19-A M.R.S. § 4007(2) (2005) to allow extension of an existing protective order that was based upon a consent agreement, and did not violate his right to due process when it expanded the protective order to include a finding of abuse and a firearm restriction because such relief was implicitly requested by Gross in her motion to extend, *see* M.R. Civ. P. 8(a); *McNaughton v. Kelsey*, 1997 ME 182, ¶ 6,

698 A.2d 1049, 1052 (noting that “[t]he fundamental requirement of due process is an opportunity to be heard upon such notice and proceedings as are adequate to safeguard the right”) (quotation marks omitted).

The entry is:

Judgment affirmed.

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