

DONALD BEATTIE

v.

SVETLANA BEATTIE

Submitted on Briefs May 12, 2006
Decided May 16, 2006

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

MEMORANDUM OF DECISION

Svetlana Beattie appeals from a judgment entered in the District Court (Augusta, *French, J.*) granting a divorce to Svetlana and Donald Beattie. Contrary to her contentions, the court neither committed clear error in determining that Svetlana failed to demonstrate that Donald's separate real estate increased in value during the marriage, *see Warren v. Warren*, 2005 ME 9, ¶¶ 20, 26, 866 A.2d 97, 101, 103, nor abused its discretion in allocating to Svetlana the marital debt on the vehicle that the court awarded to her, *see Chamberlin v. Chamberlin*, 2001 ME 167, ¶ 4, 785 A.2d 1247, 1249. Because Svetlana did not allege in the trial court

that Donald committed fraud during the marriage, she has failed to preserve that issue for appeal. *See Nicholson v. Nicholson*, 510 A.2d 1075, 1076 (Me. 1986).

The entry is:

Judgment affirmed.

Attorney for plaintiff:

Karen M. Burke, Esq.
P.O. Box 316
Winthrop, ME 04364

For defendant:

Svetlana B. Beattie
58 Chapel Street
Augusta, ME 04330