

BRUCE K. PARADIS

v.

THERESA PARADIS

Submitted on Briefs December 13, 2005  
Decided January 11, 2006

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

#### MEMORANDUM OF DECISION

Bruce K. Paradis appeals from a judgment of the District Court (Newport, *MacMichael, J.*) granting Theresa Paradis's motion for relief from judgment made pursuant to M.R. Civ. P. 60(b). He contends that the court abused its discretion in ordering the modification of the parties' divorce judgment based on its own mistake as to the value of the marital real estate, essentially because the motion sought Rule 60(b) relief based on a mutual mistake of the parties, not a mistake of the court.

We will affirm a judgment of the District Court if there are alternate grounds upon which the judgment can be affirmed. *See Boston & Me. Corp. v. State Tax Assessor*, 2005 ME 114, ¶ 16, 884 A.2d 1165, 1169-70. We need not reach Bruce's contention that the court exceeded the bounds of its discretion in granting Rule 60(b) relief based on its own mistake because the divorce judgment was ambiguous with respect to whether the parties had to sell the real estate for \$200,000, and the court's judgment reflects the existence of the ambiguity and resolves it. *See MacDonald v. MacDonald*, 582 A.2d 976, 977 (Me. 1990) (holding that "there is no question that the court has the inherent and continuing authority to construe and clarify its judgment when that judgment is ambiguous"). Accordingly, we affirm the judgment of the District Court.

The entry is:

Judgment affirmed.

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