

KIMBERLY B. McLELLAN

v.

MYRON C. McLELLAN

Submitted on Briefs December 20, 2006

Decided January 9, 2007

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

MEMORANDUM OF DECISION

Kimberly B. McLellan and Myron C. McLellan both appeal from a divorce judgment entered in the District Court (Wiscasset, *Mullen J.*) following reports from the referee appointed pursuant to M.R. Civ. P. 53(b)(1). Because the court accepted the referee's findings, we review them directly. *Warren v. Warren*, 2005 ME 9, ¶ 19, 866 A.2d 97, 101. Contrary to Myron's contentions, (1) the referee's findings are sufficient for appellate review, *see Miele v. Miele*, 2003 ME 113, ¶ 11, 832 A.2d 760, 763; (2) the referee did not clearly err in determining the value of the fishing boat or the marital and nonmarital character of the parties' property, *see Spooner v. Spooner*, 2004 ME 69, ¶ 7, 850 A.2d 354, 358; and (3) the referee did not abuse his discretion in awarding general spousal support, *see Dubay v. Dubay*,

2002 ME 100, ¶ 3, 799 A.2d 1221, 1222. Further, the referee did not abuse his discretion in denying Myron's post-report motions.

Because objections to a referee's report are required for appellate review, *Wendward Corp. v. Group Design, Inc.*, 428 A.2d 57, 58-59 (Me. 1981), and because Kimberly's objections to the referee's reports were conditioned upon the acceptance of Myron's objections, we do not reach Kimberly's cross-appeal.

The entry is:

Judgment affirmed.

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