

CHARLES C. FERRIS

v.

CAROLE JOSEPH

Submitted on Briefs January 11, 2007  
Decided January 23, 2007

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

#### MEMORANDUM OF DECISION

Carole Joseph appeals from a divorce judgment entered in the District Court (Newport, *MacMichael, J.*), arguing that the court erred: (1) in awarding her only fifty percent of the marital property by failing to consider the economic circumstances of the parties, as required under 19-A M.R.S. § 953 (2006), and by disregarding the impact of Charles C. Ferris's alleged economic misconduct on the value of the marital property; (2) in valuing the marital home; and (3) in ordering the sale of the marital home. Contrary to Joseph's contentions, the court did not abuse its discretion in its division of the marital home equally to both parties or in ordering the sale of the marital home. *See* 19-A M.R.S. § 953(1)(C) (2006); *Carter v. Carter*, 2006 ME 68, ¶ 14, 900 A.2d 200, 203 (a court's division of

marital property and debt is reviewed for an abuse of discretion); *Bonville v. Bonville*, 2006 ME 3, ¶ 20, 890 A.2d 263, 268 (the court’s decision to order the sale of the marital home as part of its disposition of marital property is reviewed for an abuse of discretion); *Peters v. Peters*, 1997 ME 134, ¶ 25, 697 A.2d 1254, 1261 (“A court’s finding that a party to a divorce did or did not engage in economic misconduct is reviewed for clear error.”). Furthermore, the court’s determination of the value of the marital home is not clearly erroneous. *See Peters*, 1997 ME 134, ¶ 14, 697 A.2d at 1258-59.

The entry is:

Judgment affirmed.

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