

SHARON HILL-ALLEY

v.

ROCK ALLEY

Submitted on Briefs May 29, 2008

Decided June 24, 2008

Panel: SAUFLEY, C.J., and CLIFFORD, ALEXANDER, LEVY, SILVER,
MEAD, and GORMAN, JJ.

MEMORANDUM OF DECISION

Rock Alley appeals from a judgment of the District Court (Ellsworth, *Staples, J.*) denying his motion to modify a spousal support award and granting Sharon Hill-Alley's motion for a finding of contempt for Rock's failure to pay spousal support and attorney fees. Contrary to Rock's contentions, we find that the court did not: (1) err in finding Rock had not shown a substantial change in circumstances and did not abuse its discretion in denying his motion to modify, *see Walsh v. Cusack*, 2008 ME 74, ¶ 4, 946 A.2d 414, 416; *Pettinelli v. Yost*, 2007 ME 121, ¶ 14, 930 A.2d 1074, 1079; (2) commit clear error in finding Rock is able to make the required payments and did not abuse its discretion by finding him in contempt, *see Richards v. Thompson*, 2004 ME 25, ¶ 6 n.4, 842 A.2d 1289, 1292; *Ames v. Ames*, 2003 ME 60, ¶ 22, 822 A.2d 1201, 1207; *Wrenn v. Lewis*, 2003 ME 29, ¶ 13, 818 A.2d 1005, 1009; or (3) commit clear error or abuse its discretion in ordering coercive imprisonment as a remedial sanction for contempt, *see Hogan v. Veno*, 2006 ME 132, ¶ 18, 909 A.2d 638, 646; M.R. Civ. P. 66(d)(3)(A).

We decline to reach Rock's argument that he should not have to pay Sharon's attorney fees, as the issue is not adequately briefed. *See Mehlhorn v. Derby*, 2006 ME 110, ¶ 11, 905 A.2d 290, 293. Finally, we note that the court made two errors in calculating Rock's earnings for 2004, 2005, and 2006 based on his tax returns. However, we find the errors are harmless. *See* M.R. Civ. P. 61.

The entry is:

Judgment affirmed. Mandate to issue immediately.

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