

LAURI PHILBRICK

v.

LEWIS PHILBRICK

Submitted on Briefs November 4, 2008

Decided November 25, 2008

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

MEMORANDUM OF DECISION

Lewis Philbrick appeals from a divorce judgment entered in the District Court (Belfast, *Worth, J.*) granting him a divorce from Lauri Philbrick. Contrary to Lewis's contention, the court did not err in its equitable division of the marital estate. *See* 19-A M.R.S. § 953(1)(B) (2007) (providing that in a proceeding for divorce, the court "shall divide the marital property in proportions the court considers just after considering all relevant factors, including" *inter alia*, "[t]he value of the property set apart to each spouse"); *Carter v. Carter*, 2006 ME 68, ¶ 14, 900 A.2d 200, 203 ("We review the divorce court's division of marital property and debts for an abuse of discretion."). The court's findings were also sufficient to support its division of the marital property. *See Murray v. Murray*, 529 A.2d 1366, 1368 n.1 (Me. 1987) (explaining that, where a party fails to move for specific or further findings of fact pursuant to M.R. Civ. P. 52(a) or (b), we assume that the divorce court found all the facts necessary to support its decision).

In addition, the court's finding that the farm equipment was worth \$70,000 was supported by the record and therefore not clearly erroneous. *See Brown v. Brown*, 2007 ME 89, ¶ 16, 929 A.2d 476, 481 ("We review a court's factual findings regarding . . . valuation . . . of marital property for clear error."); *Carter*, 2006 ME 68, ¶ 13, 900 A.2d at 203 (concluding that the court did not err in its valuation, "even if other evidence could support another finding"). It was also not

clearly erroneous for the court to find that the farm, the four-wheeler, and skid steer cab with heater were marital property. *See Hedges v. Pitcher*, 2008 ME 55, ¶ 20, 942 A.2d 1217, 1223 (stating that we review a trial court's determination of whether property is marital for clear error).

The entry is:

Judgment affirmed.

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