

LAURETTA M. SHULTZ

v.

HEATH D. EDGERLY

Submitted on Briefs December 5, 2008

Decided December 16, 2008

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

MEMORANDUM OF DECISION

Heath D. Edgerly appeals from the judgment of the District Court (Springvale, *Cantara, J.*) granting Laurretta M. Shultz an order for protection from abuse and, separately, prohibiting Edgerly from possessing firearms and ordering him to relinquish possession of firearms. 19-A M.R.S. §§ 4006, 4007 (2007). Edgerly asserts that the allegations by the complaining witness were untrue and requests the opportunity to present evidence to this Court.

On review of a claim that the evidence is insufficient to support the order granting protection from abuse, we review the record of the hearing before the District Court to determine if the evidence supports the result. *See Cole v. Cole*, 2008 ME 4, ¶¶ 1, 3, 940 A.2d 194, 195. We cannot hold a new factual hearing on appeal. When, as here, there is no transcript of the District Court proceeding filed with the appeal, we must infer that the record contained sufficient evidence to support the findings and conclusions of the District Court and the court's discretionary rulings. *See Jefts v. Dennis*, 2007 ME 129, ¶ 7, 931 A.2d 1055, 1057.

The entry is:

Judgment affirmed.

Heath D. Edgerly, pro se:

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Lauretta M. Shultz did not file a brief.