

RICHARD F. ECKENDORFF

v.

KATIE ROBINSON

Submitted on Briefs February 28, 2008  
Decided March 25, 2008

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

MEMORANDUM OF DECISION

Richard F. Eckendorff appeals from a judgment entered in the District Court (Machias, *Romei, J.*), contending that the court erred both in calculating Eckendorff's child support obligation and in determining his parental rights and responsibilities. Contrary to Eckendorff's contention, the trial court did not abuse its discretion in imputing to Eckendorff the capacity to earn minimum wage where Eckendorff possessed a sizeable amount of money in a brokerage account and did not challenge the State's assertion that he engaged in the auction sale of goods over the Internet. *See Payne v. Payne*, 2006 ME 73, ¶ 7, 899 A.2d 793, 795.

Furthermore, we need not review Eckendorff’s claim that the trial court erred in requiring supervised visitation in Robinson’s home because the court placed no such restriction on his parental rights. *See In re Janna Lynn M.*, 2002 ME 45, ¶ 12, 793 A.2d 506, 509 (noting that we do not review cases where an appellate decision cannot afford the appellant relief). The court awarded Eckendorff “reasonable visitation at all times as agreed by the parties,” which simply includes, “at the minimum,” supervised visitation on the weekends.

Finally, to the extent Eckendorff asserts that a change in circumstances subsequent to the judgment warrants modification of the order of parental rights and responsibilities, he has not filed a motion to modify pursuant to 19-A M.R.S. § 1653(10) (2007).

The entry is:

Judgment affirmed.

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**Richard F. Eckendorff,**  
**pro se:**

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of Health and Human Services:<sup>1</sup>**

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<sup>1</sup> Note by Reporter of Decisions: The Maine Department of Health and Human Services participates in certain cases involving child support pursuant to 19-A M.R.S. §§ 2102, 2103 or 2108.