

LAYNI J. EWING

v.

NORMAN D. EWING II

Submitted on Briefs April 2, 2008
Decided April 15, 2008

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

MEMORANDUM OF DECISION

Norman D. Ewing II appeals from a divorce judgment entered by the District Court (Lincoln, *Stitham, J.*) following a trial. Contrary to his contention, the court did not clearly err in determining his income for the purpose of awarding child and spousal support, and the resulting awards were not an abuse of the court's discretion. See *Payne v. Payne*, 2008 ME 35, ¶ 6, 942 A.2d 713, ---. Furthermore, M.R. App. P. 3(b) did not bar the court from issuing Layni a writ of possession for the marital home while an appeal to this Court was pending because Rule 3(b) allows a court to act as provided in M.R. Civ. P. 62(a), which in turn does not stay orders "relating to the care, custody and support of minor children or to the separate support . . . of a person" while an appeal is pending.

The entry is:

Judgment affirmed.

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