

SUZANNE D. RUSSELL

v.

DAVID R. RUSSELL

Submitted on Briefs June 4, 2009

Decided June 23, 2009

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

MEMORANDUM OF DECISION

David R. Russell appeals from a divorce judgment entered in the District Court (Biddeford, *O'Neil, J.*) on Suzanne D. Russell's complaint. No transcript or statement in lieu of the evidence was filed. Therefore, contrary to David's contentions, we cannot say that the court exceeded its discretion when it declined to authorize David to file an amended tax return for the 2007 tax year, nor is the record sufficient for us to determine that the court exceeded its discretion in allocating marital and nonmarital debt between David and Suzanne. *See* 19-A M.R.S. § 953(1) (2008) (governing the disposition of property in divorce, and requiring the division of property "in proportions the court considers just after considering all relevant factors"); *Leary v. Leary*, 2007 ME 63, ¶ 9, 926 A.2d 186, 188 (holding that the court's division of marital property and debt is reviewed for an abuse of discretion and "a division of marital property need not be equal, but it must be fair and just considering all of the parties' circumstances").

The entry is:

Judgment affirmed.

Appellant did not file a brief.

For Suzanne D. Russell:

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