

MARY LOU MURPHY

v.

DENNIS J. MURPHY

Submitted on Briefs January 22, 2009

Decided January 27, 2009

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

MEMORANDUM OF DECISION

Mary Lou Murphy appeals, and Dennis J. Murphy cross-appeals, from the second amended divorce judgment entered by the District Court (Springvale, *Janelle, J.*) following a trial on Mary Lou's complaint for divorce. Contrary to Dennis's contention, following a timely motion made pursuant to M.R. Civ. P. 59(e) the court had the authority to amend its judgment in a manner requested by the moving party without holding a hearing, and we discern no abuse of the court's discretion in doing so here. *Most v. Most*, 477 A.2d 250, 261 (Me. 1984). Contrary to both parties' contentions, in reviewing the second amended judgment as the trial court's final judgment, *see id.* at 262 (stating that when a judgment is amended pursuant to Rule 59(e) it becomes the final judgment from which an appeal is taken), we find no abuse of discretion in the court's division of marital debt, or in its award of interim and general spousal support. *See Nixon v. Nixon*, 2008 ME 157, ¶ 11, 957 A.2d 101, 104 (stating that award of spousal support reviewed for abuse of discretion); *Brown v. Habrle*, 2008 ME 17, ¶ 13, 940 A.2d 1091, 1095 (stating that division of marital property and debt reviewed for abuse of discretion).

The entry is:

Judgment affirmed.

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