

PATRICIA A. KEOHAN

v.

MICHAEL T. KEOHAN

Submitted On Briefs November 23, 2009

Decided December 1, 2009

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

MEMORANDUM OF DECISION

Michael T. Keohan appeals from a judgment entered by the District Court (Augusta, *Mulhern, J.*) granting in part his motion to modify the child visitation schedule contained in the parties' divorce judgment, and denying his motion to hold Patricia Keohan in contempt for allegedly failing to comply with the judgment. Contrary to Michael's contention, the court did not abuse its discretion in its application of the best interest of the child standard when modifying the parties' parental rights and responsibilities. 19-A M.R.S. § 1653(3) (2008); *see In re Baby Duncan*, 2009 ME 85, ¶ 14, 976 A.2d 935, 939. Nor did the court abuse its discretion in finding a lack of clear and convincing evidence to support a contempt finding. M.R. Civ. P. 66(d)(2)(D)(i); *see Richards v. Thompson*, 2004 ME 25, ¶ 6 n.4, 842 A.2d 1289, 1292.

The entry is:

Judgment affirmed.

Attorney for Michael T. Keohan:

Brian D. Condon, Esq.
Law Office of Brian D. Condon
126 Main Street
PO Box 169
Winthrop, Maine 04364

Attorney for Patricia A. Keohan:

Jennifer M. Bryant, Esq.
Law Offices of Doyle & Nelson
150 Capitol Street, Suite 2
Augusta, Maine 04330

Augusta District Court docket number FM-2008-502
FOR CLERK REFERENCE ONLY