

JANET M. NEGRI

v.

RUSSELL G. VAUGHAN

Submitted on Briefs December 8, 2009

Decided December 17, 2009

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

MEMORANDUM OF DECISION

Russell G. Vaughan appeals from the judgment of the District Court (Augusta, *Mulhern, J.*) extending for two years until June 7, 2011, a protection from abuse order, 19-A M.R.S. § 4007 (2008),¹ applicable to Vaughan. Vaughan contends, essentially, that the court (*M.G. Kennedy, J.*) erred in assessing the credibility of the parties and the circumstances of the case prior to entry of the original protection from abuse order in 2007 and that the court (*Mulhern, J.*) similarly erred in extending the order.

Upon review of fact-findings by the court, we must consider the record in the light most favorably to the trial court's result, recognizing that it is for the trial court to assess the credibility of the witnesses and the significance of their evidence. *See Estate of Fournier*, 2009 ME 17, ¶¶ 14, 17, 966 A.2d 885, 889, 890. In our review, we will not substitute our judgment for the judgment of the trial court regarding issues of weight and credibility of evidence. *See State v. Moores*, 2006 ME 139, ¶ 7, 910 A.2d 373, 375. Review of the record and the tapes of the

¹ Title 19-A M.R.S. § 4007(6) has since been amended by P.L. 2009, ch. 94, § 6 (effective Sept. 12, 2009).

hearing on the motion to extend the protection from abuse order discloses that the record, construed most favorably to the District Court's judgment, supports the result reached by the court.

The entry is:

Judgment affirmed.

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