

MALLORY C. McPARTLAND

v.

WILLIAM J.F. POLICANO

Submitted on Briefs February 26, 2009  
Decided March 3, 2009

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

#### MEMORANDUM OF DECISION

William J.F. Policano appeals from a judgment of the District Court (Houlton, *O'Mara, J.*) entering an order for protection from abuse against him in favor of Mallory C. McPartland. Contrary to Policano's contentions, the evidence was sufficient for the court to find by a preponderance that he abused McPartland within the meaning of 19-A M.R.S. § 4002(1) (2008). 19-A M.R.S. § 4006(1) (2008); *see Preston v. Tracy*, 2008 ME 34, ¶ 10, 942 A.2d 718, 720 (stating that trial court's findings of fact reviewed for clear error and will be affirmed "if there is competent evidence in the record to support them, even if the evidence might support alternative findings of fact" (quotation marks omitted)); *State v. Schmidt*, 2008 ME 151, ¶ 19, 957 A.2d 80, 86 (stating that the fact-finder is permitted to draw all reasonable inferences from the evidence, and that "[d]eterminations of the weight and credibility to be afforded the evidence are within the fact-finder's exclusive province"); *State v. Barnard*, 2001 ME 80, ¶ 13, 772 A.2d 852, 858 (stating that "[p]roof [even] beyond a reasonable doubt may rest upon the testimony of a single witness").

The entry is:

Judgment affirmed.

**Attorney for William J.F. Policano:**

Chris A. Nielsen, Esq.  
Nielsen & Bly, P.C.  
PO Box 1871  
Biddeford, Maine 04005-1871

**Attorney for Mallory C. McPartland:**

Daniel R. Nelson, Esq.  
Severson, Hand & Nelson, P.A.  
PO Box 8034  
Houlton, Maine 04730-0804