

STACEY A. HAGERMAN

v.

TODD C. HAGERMAN

Submitted on Briefs February 26, 2009
Decided March 5, 2009

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

MEMORANDUM OF DECISION

Todd C. Hagerman appeals from a divorce judgment entered in the District Court (Portland, *MG Kennedy, J.*) distributing the parties' property and debt, and awarding spousal support. Todd contends that the court abused its discretion awarding only \$250 per month in spousal support when he earns significantly less than Stacey A. Hagerman, and when awarding Stacey a greater share of and the more valuable assets of the marital estate. He also asserts that the trial court erred when valuing the Thrift Savings Account at its net value. Stacey cross-appeals from the same judgment. She contends that the court abused its discretion by awarding an excessive amount of spousal support, and awarding the balance of the parties' 2007 tax return to Todd. Both parties assert that the court abused its discretion by failing to order the other party to pay their respective attorney fees.

The trial court acted within its discretion and properly considered the factors set forth in 19-A M.R.S. § 951-A(5) (2008) when awarding spousal support and determining the amount. *See Harmon v. Harmon*, 2009 ME 2, ¶¶ 6-7, 962 A.2d 959, 961-62. We further conclude that the trial court committed no abuse of discretion in its equitable distribution of the marital property and debt. *See Carter v. Carter*, 2006 ME 68, ¶ 14, 900 A.2d 200, 203. With respect to the valuation of the Thrift account, we infer that the court made all findings necessary to reach its valuation because the issue was not raised in the motion for additional findings of fact and conclusions of law. *See Conrad v. Swan*, 2008 ME 2, ¶ 16,

940 A.2d 1070, 1076. Finally, the trial court's discretionary decision that each party should pay his or her own attorney fees is sustainable. *See Smith v. Padolko*, 2008 ME 56, ¶ 17, 955 A.2d 740, 745.

The entry is:

Judgment affirmed.

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