

SHELLIE DOMENICO

v.

KEVIN P. CAISSIE

Submitted On Briefs December 12, 2008
Decided January 13, 2009

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

MEMORANDUM OF DECISION

Kevin P. Caissie appeals from a parental rights and responsibilities judgment entered in the District Court (Bangor, *Gunther, J.*) as to his two minor children with Shellie Domenico. Given the state of the record before us, we must assume that the court resolved all factual matters in a manner supporting its decision to award primary residence of the children to Domenico. *See* M.R. App. P. 5(d); *Boggs v. Berthiaume*, 2008 ME 169, ¶ 2, 959 A.2d 739, 740. Contrary to Caissie's contention, given these assumptions, the court did not exceed its discretion in its award of parental rights and responsibilities. *See Smith v. Padolko*, 2008 ME 56, ¶¶ 15-16, 955 A.2d 740, 744-45. Further, the court acted within its discretion in denying Caissie's motion for further findings of fact and conclusions of law. *See Roberts v. Roberts*, 2007 ME 109, ¶ 6, 928 A.2d 776, 778.

The entry is:

Judgment affirmed.

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