

JOANNE TENNEY

v.

JEFFREY WESCOTT

Submitted on Briefs April 30, 2009
Decided May 12, 2009

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

MEMORANDUM OF DECISION

Jeffrey Wescott appeals from an order for protection from abuse entered in the District Court (Portland, *MG Kennedy, J.*) on a complaint filed by Joanne Tenney. Contrary to Wescott's arguments on appeal, there was competent evidence in the record to support the court's findings that: (1) the parties were "dating partners" pursuant to 19-A M.R.S. § 4002(3-A) (2008), and (2) there was abuse pursuant to 19-A M.R.S. § 4002(1) (2008). After holding a hearing and finding abuse, it was within the court's discretion to prohibit Wescott from owning or possessing firearms for the duration of the protection from abuse order. *See* 19-A M.R.S. § 4007(1)(A-1) (2008). As a result of the court's findings and orders, federal law also prohibits Wescott from possessing a firearm or ammunition. *See* 18 U.S.C.S. § 922(g)(8) (2005); *Ewing v. Maine Dist. Court*, 2009 ME 16, ¶¶ 5-6, 964 A.2d 644, 646.

The entry is:

Judgment affirmed.

Attorney for Jeffrey Wescott:

Neal L. Weinstein, Esq.
32 Saco Avenue
PO Box 660
Old Orchard Beach, Maine 04064-0660

Attorney for Joanne Tenney:

J. David Canarie, Esq.
2211 Congress Street, C-475
Portland, Maine 04122