

LAWRENCE J. DENNIS JR.

v.

STACY ANN DENNIS

Submitted on Briefs January 28, 2010

Decided March 4, 2010

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

MEMORANDUM OF DECISION

Lawrence J. Dennis Jr. appeals from a judgment of the District Court (York, *Janelle, J.*) granting the motion for contempt filed by his ex-wife, Stacy Ann Dennis, to compel compliance with the support provisions of the parties' divorce judgment.¹ Contrary to Lawrence's contentions, the court did not: (1) commit clear error in finding that Lawrence had the present ability to pay his support obligations, *see Efstathiou v. Efstathiou*, 2009 ME 107, ¶¶ 10-11, 982 A.2d 339, 342-43; (2) abuse its discretion in finding him in contempt, *see Marquis v. Marquis*, 2008 ME 102, ¶ 5 n.4, 952 A.2d 990, 992; or (3) err in determining that Lawrence was not entitled to a credit towards his spousal support arrearage for voluntarily making the March mortgage payment on Stacy's home, *see Ketchum v. Ketchum*, 2000 ME 13, ¶ 12, 743 A.2d 1270, 1273-74; *Roberts v. Roberts*, 1997 ME 138, ¶¶ 5, 7-12, 697 A.2d 62, 64-66.

Lawrence also argues that the court made clerical errors in calculating his child support obligation in the divorce judgment and in determining the number of missed spousal support payments in the contempt order. Lawrence did not file a

¹ Because we affirm the judgment of the District Court, we dismiss Stacy's motion to strike portions of the appendix as moot.

motion to correct any alleged clerical errors after the divorce judgment was issued in September 2008, and did not file a motion to correct any alleged clerical errors in the judgment on Stacy's motion for contempt. If he alleges such errors were made, he must file a motion with the trial court pursuant to M.R. Civ. P. 60(a) to seek the corrections he desires.

The entry is:

Judgment affirmed.

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