

SUDIE REID-COLES

v.

JAMES REED COLES

Submitted on Briefs January 28, 2010

Decided February 2, 2010

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

#### MEMORANDUM OF DECISION

Sudie Reid-Coles appeals from a judgment entered by the District Court (West Bath, *Tucker, J.*) dismissing her complaint for protection from abuse against James Reed Coles. Contrary to Reid-Coles's contention, the court applied the correct legal standard when it found that James Reed Coles had not abused her "as defined by any of the definitions at [19-A M.R.S.] § 4002(1)(A to F)." 19-A M.R.S. §§ 4002(1), 4006(1) (2009). Furthermore, because Reid-Coles had the burden of proof, 19-A M.R.S. § 4006(1), the court did not err in dismissing her complaint for insufficient evidence after finding that her testimony was not credible. *See Dionne v. LeClerc*, 2006 ME 34, ¶ 15, 896 A.2d 923, 929 (stating that determinations of credibility are within the sole province of the fact-finder, and that a court is not required to believe the testimony of a witness even if it is not disputed).

The entry is:

Judgment affirmed.

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West Bath District Court docket number PA-2009-135  
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