

KIMBERLY J.J. ROSE

v.

JAY M. LEWIS

Submitted on Briefs July 7, 2010

Decided July 22, 2010

Panel: SAUFLEY, C.J., ALEXANDER, LEVY, SILVER, GORMAN, and  
JABAR, JJ.

MEMORANDUM OF DECISION

Jay M. Lewis appeals from a protection from abuse order entered in the District Court (Calais, *Romei, J.*) on Kimberly J.J. Rose's complaint, filed individually and on behalf of her minor child. Contrary to Lewis's contentions, there was competent record evidence to support the court's findings that abuse occurred and that Lewis represents a credible threat to the safety of Rose and her child. 19-A M.R.S. §§ 4002(1), 4007(1) (2009); *Smith v. Hawthorne*, 2002 ME 149, ¶¶ 15-17, 804 A.2d 1133, 1138-39.

Further, the court did not err in not making specific findings of fact because they are not required by the protection from abuse statute, and Lewis did not request them pursuant to M.R. Civ. P. 52. *See* 19-A M.R.S. §§ 4001-4014 (2009). Finally, the court properly sustained Rose's relevancy objection, pursuant to M.R. Evid. 401, and did not violate Lewis's right to due process because he had the opportunity to present evidence to highlight his claims that Rose misrepresented her education. *See In re Kristy Y.*, 2000 ME 98, ¶ 7, 752 A.2d 166, 169.

The entry is:

Judgment affirmed.

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Calais District Court docket number PA-2009-71  
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