

JOHN A. JEWELL SR.

v.

CAROL L. JEWELL

Argued April 5, 2022  
Decided May 10, 2022

Panel: STANFILL, C.J.,\* and MEAD, JABAR, HUMPHREY, HORTON, and  
CONNORS, JJ.

## MEMORANDUM OF DECISION

John A. Jewell Sr. appeals from an order of the District Court (Bangor, *Lucy, J.*) denying his motion to modify the spousal support he pays to his ex-wife, Carol L. Brewer. *See* 19-A M.R.S. § 104 (2022). John contends that the court erred in denying his motion because Carol has been cohabitating with her boyfriend since the time of the divorce judgment.<sup>1</sup> The court found that there was no substantial change in the circumstances of either party, nor was relief

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\* Although not available at oral argument, Chief Justice Stanfill participated in the development of this opinion. *See* M.R. App. P. 12(a)(2) (“A qualified Justice may participate in a decision even though not present at oral argument.”).

<sup>1</sup> John also contends that the court’s (Bangor, *Martin, J.*) award of spousal support in the underlying judgment was itself improper for that same reason. However, John neither filed a post-judgment motion seeking clarified or additional findings of fact or conclusions of law, M.R. Civ. P. 52(b), nor appealed from the divorce judgment, 19-A M.R.S. § 104 (2022), and “[p]ost-judgment proceedings provide no invitation to reopen and relitigate a divorce judgment.” *Pettinelli v. Yost*, 2007 ME 121, ¶ 15, 930 A.2d 1074. Moreover, John filed his motion to modify less than twelve months after the divorce judgment was issued; *see* 19-A M.R.S. § 951-A(12) (2018), *repealed by* P.L. 2019, ch. 272, § 2 (effective Sept. 19, 2019).

justified under 19-A M.R.S. § 951-A(12) (2018), *repealed by* P.L. 2019, ch. 272, § 2 (effective Sept. 19, 2019). The court's findings are fully supported by the record, and there was no abuse of discretion. We therefore affirm. *See Voter v. Voter*, 2015 ME 11, ¶ 18, 109 A.3d 626.

The entry is:

Judgment affirmed.

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Jeremy Bethel, Esq. (orally), and Allison Muir Kuhns, Esq., Port City Legal, LLC, Portland, for appellant John A. Jewell Sr.

Anthony Hanson, Esq. (orally), Greene, for appellee Carol L. Jewell