

GEORGE E. GOOLEY

v.

DANIELLE L. FRADETTE

Submitted on Briefs October 30, 2024
Decided November 7, 2024

Panel: STANFILL, C.J., and MEAD, HORTON, CONNORS, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Following their 2016 divorce, George E. Gooley and Danielle L. Fradette litigated a series of post-judgment motions. They appealed and cross-appealed from the judgment entered by the District Court (Portland, *J. French, J.*) on several of those motions, and we affirmed the judgment in most respects but vacated and remanded for further findings of fact and conclusions of law with respect to the issues of parent-child contact and attorney fees which Gooley had been ordered pay. *See Gooley v. Fradette*, 2024 ME 3, --- A.3d ---. Gooley now appeals from court's post-remand order amending the prior judgment challenging only the court's determination that he pay \$30,000 of Fradette's attorney fees.

Gooley contends that the court erred in determining his imputed income for purposes of the attorney fee award. Contrary to his argument, the court did not err because its findings in this regard are supported by the evidence in the record. *See Brown v. Brown*, 2007 ME 89, ¶ 13, 929 A.2d 476 (finding the evidence sufficiently supported the court's determination of imputed of income).

Gooley further argues that the court abused its discretion in failing to consider all relevant factors and circumstances of the parties and ordering him to pay the foregoing amount of Fradette’s attorney fees. We discern no abuse of discretion. *See Riemann v. Toland*, 2022 ME 13, ¶¶ 42-43, 44, 269 A.3d 229 (finding no abuse of discretion in awarding attorney fees after considering “the parties’ relative capacity to absorb the costs of litigation in addition to all other relevant factors”).

The entry is:

Judgment affirmed.

George E. Gooley appellant pro se

Kenneth P. Altshuler, Esq., Childs Rundlett & Altshuler, Portland, for appellee
Danielle L. Fradette