

PAT DOE

v.

MICHAEL POWE

Submitted on Briefs January 22, 2025
Decided January 30, 2025

Panel: MEAD, HORTON, CONNORS, LAWRENCE, and DOUGLAS, JJ.

MEMORANDUM OF DECISION

Pat Doe¹ appeals from a judgment of the District Court (Augusta, *Hathaway, J.*) granting in part and denying in part her petition for modification of a parental rights and responsibilities order and denying her motion to extend a protection from abuse order against Michael Powe. 19-A M.R.S. §§ 1657(1)(A), 4111(1) (2024). After carefully reviewing the record, we conclude that the court did not clearly err or abuse its discretion in finding that there had been a change in circumstances and modifying the parental rights and responsibilities order. *See Dickens v. Boddy*, 2015 ME 81, ¶¶ 12-13, 119 A.3d 722; *Boyd v. Manter*, 2018 ME 25, ¶ 6, 179 A.3d 906. Moreover, on this record, the court did not clearly err or abuse its discretion in denying Doe's motion to extend the protection from abuse order. *See Dyer v. Dyer*, 2010 ME 105, ¶ 11, 5 A.3d 1049; *Doe v. Tierney*, 2018 ME 101, ¶ 15, 189 A.3d 756.

¹ Pursuant to federal law, we do not identify the plaintiff in this protection from abuse action and limit our description of events and locations to avoid revealing "the identity or location of the party protected under [a protection] order" as required by 18 U.S.C.A. § 2265(d)(3) (Westlaw through Pub. L. No. 118-158). *See Doe v. Tierney*, 2018 ME 101, n.1, 189 A.3d 756.

Additionally, the court did not abuse its discretion when it admitted evidence of Doe’s mental health history. *See* M.R. Evid. 403; *State v. Jones*, 2019 ME 33, ¶ 18, 203 A.3d 816. Finally, no obvious error occurred when the court did not *sua sponte* admit evidence concerning a previous out-of-state protection from abuse order after she expressly withdrew the proffer of that evidence. *See Jewell v. Brewer*, 2024 ME 70, ¶ 11, 327 A.3d 31.

The entry is:

Judgment affirmed.

Pat Doe, appellant pro se

Kevin P. Sullivan, Esq., Farris Law, P.A., Gardiner, for appellee Michael Powe

Augusta District Court docket numbers PA-2022-66 and FM-2019-179
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