MAINE SUPREME JUDICIAL COURT Reporter of Decisions
Decision: 2026 ME 106
Docket: Yor-26-118
Submitted
On Briefs: October 23, 2026
Decided: November 10, 2026

Panel: MEAD, CONNORS, DOUGLAS, and LIPEZ, JJ., and HUMPHREY, A.R.J.

PAT DOE

v.

JUSTIN A. TAHAI

PER CURIAM

[¶1] Justin A. Tahai appeals from judgments entered on motions filed in a parental-rights-and-responsibilities matter, 19-A M.R.S. § 1657(1)(A) (2026); M.R. Civ. P. 66(d), and on a separate complaint for protection from abuse, 19-A M.R.S. §§ 4104(2), 4110(1) (2026), after a consolidated hearing in the District Court (Biddeford, *Lucy, J.*) on January 16, 2026.[1] We affirm the judgments.

[1] The parental-rights-and-responsibilities matter was docketed in the District Court as YORDC-FM-2010-190, and the protection-from-abuse matter was docketed as BIDDC-PA-2024-1285. The appeals were consolidated under Law Court docket number Yor-26-118.

I. DISCUSSION

A. Doe's Complaint for Protection from Abuse[2]

[¶2] The court found by a preponderance of the evidence that Tahai's behavior in late November and early December 2024, commencing after a confrontation at a local restaurant on the day before Thanksgiving and continuing over the days that followed, constituted abuse as defined in 19-A M.R.S. § 4102(1)(B) (2026).[3] The court, while finding that Tahai's actions in late 2024 alone constituted abuse sufficient to justify an order of protection, also found that Tahai continued to exhibit threatening and intimidating behavior even while these matters were pending and awaiting trial. Because Tahai has failed to provide us with a transcript of the proceedings in the District Court, "we must assume that the transcript would support the trial court's findings of fact." *State v. Nugent*, 2002 ME 111, ¶ 2, 801 A.2d 1001.

[¶3] We therefore affirm the final order for protection from abuse issued in BIDDC-PA-24-1285.

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[2] Doe sought protection for herself and the parties' teenage son. To comply with federal law, we do not identify the plaintiff in this protection-from-abuse action to avoid revealing "the identity or location of the party protected under [a protection] order." 18 U.S.C. § 2265(d)(3) (West, Westlaw through Pub. L. No. 119-136); *see Doe v. Tierney*, 2018 ME 101, n.1, 189 A.3d 756.

[3] Although the court appears to have been mistaken on the precise day that the parties' son was transitioned to Tahai's home and certain events took place, the error was not significant in the court's finding that Tahai's actions constituted abuse. *See Kelley v. McKee*, 2019 ME 155, ¶ 9, 218 A.3d 753; M.R. Civ. P. 61.

B. Parental Rights and Responsibilities

[¶4] The court's consideration of Doe's motion to modify parental rights and responsibilities included evidence that was presented in conjunction with the protection-from-abuse proceeding as well as additional evidence, including the testimony of Daniel Pierce, LCSW. Again, because Tahai failed to provide this Court with a transcript of the January 16 hearing, we assume that the record contains competent evidence to support the court's findings. *Id*.

[¶5] The court granted Doe's motion to modify in an extensive and well-reasoned decision. After finding a change in circumstances sufficiently substantial in its effect on the child's best interest, namely Tahai's recent threatening and intimidating behaviors, the court awarded shared parental rights and responsibilities with primary residence to Doe.

[¶6] The court did not abuse its discretion in shaping the modified order regarding parental rights and responsibilities. *See Dube v. Dube*, 2016 ME 15, ¶ 5, 131 A.3d 381. The court exhorted the parties to cooperate in good faith in parenting decisions but allocated authority to Doe to make final decisions in instances where the parties are unable to agree.[4] The court also ordered

[4] The award of final decision-making to the *mother* does not, as Tahai suggests, constitute a delegation of that authority to a third person. *See Mills v. Fleming*, 2017 ME 144, ¶ 9, 166 A.3d 1012. Further, the court's conditioning visitation upon Tahai successfully engaging in counseling with a psychologist or medical practitioner does not constitute an impermissible delegation of

continuing counseling and provisions for communication between the parties. Finally, the court warned both parties that violation of the order may result in a finding of contempt with appropriate sanctions and monetary forfeiture.

[¶7] As such, we find Tahai's arguments challenging the court's analysis and conclusions unpersuasive and affirm the court's order modifying parental rights and responsibilities. *See Jackson v. MacLeod*, 2014 ME 110, ¶ 23, 100 A.3d 484; *Lesko v. Stanislaw*, 2014 ME 3, ¶ 10, 86 A.3d 14 (noting that a court need not detail its every rationale in shaping a post-divorce judgment).

C. Motion for Contempt

[¶8] The court correctly articulated the elements required for a finding of contempt and the burden of proof upon a party seeking a finding of contempt. M.R. Civ. P. 66(d)(2)(D); *Currier v. Currier*, 2025 ME 28, ¶¶ 8-9, 334 A.3d 640. We discern no abuse of discretion in the court's conclusion that it was not persuaded by clear and convincing evidence that Doe had failed to comply with the court's orders to the fullest extent possible, and we affirm the court's denial of Tahai's motion seeking such a finding. *See Ames v. Ames*, 2003 ME 60, ¶ 22, 822 A.2d 1201.

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decision-making authority to a third party. *See Pearson v. Wendell*, 2015 ME 136, ¶¶ 33-36, 125 A.3d 1149.

[¶9] We otherwise affirm or cannot provide meaningful appellate review of the court's denial of "[a]ll post-hearing motions and any other motions not otherwise expressly addressed in [the Order of February 11, 2026]."[5] To the extent that Tahai presents additional arguments, we find them unpersuasive and do not address them further.

The entry is:

Judgments affirmed.

Justin A. Tahai, appellant pro se

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[5] Tahai contends that the court abused its discretion in denying his motion for further findings of fact pursuant to M.R. Civ. P. 52(b). We are unable to discern whether the Court abused its discretion because Tahai failed to provide a transcript of the trial court hearing. *Cf. Springer v. Springer*, 2009 ME 118, ¶ 2, 984 A.2d 828 (noting that "[t]he appellant bears the burden of providing an adequate record" on appeal). As such, we must assume that the transcript would support the court's findings. *Id.* ¶ 8.