Note: Decisions of a three-justice panel are not to be considered as precedent before any tribunal.

ENTRY ORDER

SUPREME COURT DOCKET NO. 2006-263

NOVEMBER TERM, 2006

Joanne J. Prior	}	APPEALED FROM:
	}	
	}	
v.	}	Windham Family Court
	}	
Glenn A. Prior	}	
	}	DOCKET NO. 80-3-05 Wmdm

Trial Judge: Karen R. Carroll

In the above-entitled cause, the Clerk will enter:

Father appeals pro se from a final judgment of divorce, alleging numerous errors on the part of the trial court. We affirm.

The record discloses that the parties were married for twenty-one years, and had one adult and one minor child at the time of the final divorce proceedings in March 2004. Father was incarcerated at the time of the final hearing on a conviction for aggravated domestic assault and arson stemming from an incident in which he threatened mother with knife and burned most of her belongings. The court awarded mother sole legal and physical parental rights and responsibilities for the minor child.

The marital assets and liabilities were relatively few. The marital home had been sold and the proceeds placed in escrow, although the evidence as to the amount of the proceeds was uncertain and conflicting, ranging from $47,000 to $64,000. Debts included a credit union loan of about $4000. The court found that mother had been a victim of ongoing domestic abuse and had been required solely to care for the children and support the family while father was incarcerated and at other periods of time, and therefore was entitled to a substantial award of the marital property. The court thus provided that the parties= debts would be paid from the funds held in escrow, and thereafter 80% of the remaining funds would be awarded to mother and 20% to father. The court also awarded father all of his tools, personal items, and a truck held in storage. This appeal by father followed.

Given its unique position to assess the credibility of witnesses and weigh the evidence, we will not disturb the family court=s findings unless clearly erroneous, nor disturb its conclusions if supported by the findings and the law. Mizzi v. Mizzi, 2005 VT 120, & 7 (mem.). It is equally settled that, to warrant consideration on appeal, an appellant=s brief must adequately explain the issues and how they were preserved for review, with citations to the authorities, statutes, and parts of the record relied on, as required by V.R.A.P. 28(a). See Wilkins v. Lamoille County Mental Health Serv., 2005 VT 121, & 15 (declining to address issue that was not adequately briefed and argued); Johnson v. Johnson, 158 Vt. 160, 164, n.* (1992) (holding that Court will not consider claims so inadequately briefed as to fail to meet the standards of V.R.A.P. 28(a)). Although pro se litigants are generally afforded more Aleeway@ in meeting such requirements when error appears in the record, Sandgate Sch. Dist. v. Cate, 2005 VT 88, & 9, 178 Vt. 625 (mem.), this Court will nevertheless not undertake to search the record for error where a party has failed to provide any citations to support the claims. Jordan v. Nissan North America, Inc., 2004 VT 27, & 10, 176 Vt. 465.

Father raises eleven separately-numbered claims on appeal, but has provided virtually no citations to the record showing where and how the alleged errors occurred, or that they were preserved for review through timely motions or objections, nor has father cited any statutes or authorities in support of his various assertions. Thus, even under the relaxed standards sometimes allowed for pro se litigants, father=s conclusory

claims that the trial court was Abias[ed],@ erroneously denied a motion for continuance, violated father=s due process rights, denied him the right to present witnesses, improperly excluded wife=s alleged inheritance from the marital assets, and made findings and conclusions Afar from the truth@ and Afull of inconsistencies@ fall well short of the level of specificity required for appellate review. Johnson, 158 Vt. at 164, n.*

Father=s further claim that the court improperly denied a motion to compel his former attorney to release his case file is similarly lacking. The trial court noted in the final decree that the attorney in question had agreed to produce copies of the file; that the court had authorized father to use funds from the escrow account for copying the file; and that father had simply failed to do so. Father has no made no claim or showing that the court=s findings in this regard were inaccurate or erroneous, or that he was somehow thwarted in taking advantage of the court=s ruling.

Father also claims that he was denied counsel and adequate funds, but as the trial court correctly explained in a pre-trial ruling, father was not entitled to a court-appointed attorney in this civil proceeding. Morrissette v. Morrissette, 143 Vt. 52, 57 (1983). Finally, father asserts that he was subjected to cruel and unusual punishment by the court because of infrequent prison visits from his minor daughter. Even if such a claim were cognizable in an appeal from Family Court, the record shows that the court specifically ordered that the daughter be permitted to visit father while in prison in the company of an adult supervisor other than mother. The court also found that mother had been supportive of this happening, although the court acknowledged in the final decree that it had been difficult to find a suitable supervisor. Father points to nothing in the record to contradict the court=s findings, or to demonstrate that either mother or the court had attempted to impede visits to father from his daughter. Accordingly, we discern no basis to disturb the judgment.

Affirmed.

BY THE COURT:

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Denise R. Johnson, Associate Justice

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Marilyn S. Skoglund, Associate Justice

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Brian L. Burgess, Associate Justice