

RECORD IMPOUNDED

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This opinion shall not "constitute precedent or be binding upon any court." Although it is posted on the internet, this opinion is binding only on the parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-0474-21

S.M.,

Plaintiff-Appellant,

v.

J.T.,¹

Defendant-Respondent.

Submitted March 20, 2023 – Decided March 28, 2023

Before Judges Haas and Mitterhoff.

On appeal from the Superior Court of New Jersey,
Chancery Division, Family Part, Bergen County,
Docket No. FM-02-1026-13.

S.M., appellant pro se.

Respondent has not filed a brief.

PER CURIAM

¹ We use initials to protect the confidentiality of the parties' minor child.

Last year, we considered and rejected plaintiff's challenge to a series of orders issued by the Family Part between June 25, 2019 and November 13, 2020. S.M. v. J.T., Nos. A-5359-18 and A-4428-19 (App. Div. Mar. 3, 3022) (slip op. at 1). In her current appeal, plaintiff appeals from orders the trial court entered on November 24, 2020, and January 25, April 8, April 9, April 15, June 1, June 16, June 24,² August 20, 2021. We affirm.

As we noted in our 2022 decision, plaintiff filed thirty-eight motions in the Family Part between 2014 and November 2020, "including not only [motions] for reconsideration, but [for] reconsideration of reconsideration motions." Ibid. Since that time, plaintiff has filed at least four motions, two applications for orders to show cause, and four motions for reconsideration that resulted in the orders that are the subject of this appeal. As was the case in her prior appeal, plaintiff's points of error lack merit and essentially repeat the same unsupported contentions she made in the trial court.

Based on our review of the record and the applicable law, we affirm the court's orders for the reasons expressed by the trial judge. We add the following brief comments. See R. 2:11-3(e)(1)(E).

² The court issued three separate orders on June 24, 2021.

The scope of our review of the Family Part's orders is limited. We owe substantial deference to the Family Part's findings of fact because of that court's special expertise in family matters. Cesare v. Cesare, 154 N.J. 394, 411-12 (1998). Thus, "[a] reviewing court should uphold the factual findings undergirding the trial court's decision if they are supported by adequate, substantial and credible evidence on the record." MacKinnon v. MacKinnon, 191 N.J. 240, 253-54 (2007) (alteration in original) (quoting N.J. Div. of Youth & Fam. Servs. v. M.M., 189 N.J. 261, 279 (2007)).

While we owe no special deference to the judge's legal conclusions, Manalapan Realty, L.P. v. Twp. Comm. of Manalapan, 140 N.J. 366, 378 (1995), "we 'should not disturb the factual findings and legal conclusions of the trial judge unless . . . convinced that they are so manifestly unsupported by or inconsistent with the competent, relevant and reasonably credible evidence as to offend the interests of justice' or when we determine the court has palpably abused its discretion." Parish v. Parish, 412 N.J. Super. 39, 47 (App. Div. 2010) (quoting Cesare, 154 N.J. at 412). We will reverse the trial court's decision "[o]nly when . . . [its] conclusions are so 'clearly mistaken' or 'wide of the mark' . . . to ensure that there is not a denial of justice." N.J. Div. of Youth & Fam.

Servs. v. E.P., 196 N.J. 88, 104 (2008) (quoting N.J. Div. of Youth & Fam. Servs. v. G.L., 191 N.J. 596, 605 (2007)).

Applying these principles, plaintiff's arguments concerning the orders reveal nothing "so wide of the mark" that we could reasonably conclude the orders constituted "a denial of justice." The record amply supports the trial court's factual findings and, in light of those findings, the court's legal conclusions are unassailable.

Affirmed.

I hereby certify that the foregoing
is a true copy of the original on
file in my office.



CLERK OF THE APPELLATE DIVISION