IN THE SUPREME COURT OF THE STATE OF DELAWARE

ADAM C. DAVIS,[1]	§	
	§	Nos. 552/555, 2012
Petitioner/Respondent Below,	§	(Consolidated)
Appellant/Cross-Appellee,	§	
	§	Court Below–Family Court of the
v.	§	State of Delaware in and for New
	§	Castle County
MAGGIE D. DAVIS,	§	File No. CN04-09436
	§	Pet. Nos. 11-28293
Respondent/Petitioner Below,	§	11-29934
Appellee/Cross-Appellant,	§	

Submitted: October 8, 2013
Decided: January 2, 2013

Before **HOLLAND**, **JACOBS** and **RIDGELY,** Justices.

O R D E R

This 2nd day of January 2014, upon consideration of the parties' briefs, the Family Court record, and the appellant's "motion to supplement the record," it appears to the Court that:

(1) The appellant/cross-appellee, Adam C. Davis ("Husband"), and the appellee/cross-appellant, Maggie D. Davis ("Wife"), divorced in 2006 after thirteen years of marriage. The Family Court retained jurisdiction to determine ancillary matters. By letter decision and order dated August 7, 2008, the Family

[1] By Order dated October 11, 2012, the Court *sua sponte* assigned pseudonyms to the parties. Del. Supr. Ct. R. 7(d).

Court decided issues of property division, counsel fees, court costs and alimony (hereinafter "the property division order").

(2) In 2011, the parties filed petitions for rules to show cause ("RSC"), each claiming that the other was in violation of the property division order. Husband's RSC petition chiefly concerned the parties' jointly-owned real property, alleging that Wife had refused to cooperate in listing a rental property and two-acre parcel for sale, had failed to follow through on refinancing the mortgage on the marital residence, had not paid her fair share of the carrying costs of the rental property, and had not contributed to legal expenses associated with the two-acre parcel. Wife's RSC petition alleged that Husband had unilaterally embroiled the parties' two-acre parcel in litigation, and had failed to pay attorney's fees as ordered.

(3) After a series of hearings, the Family Court issued an order dated September 12, 2012 deciding the parties' RSC petitions. In short, the court concluded that neither party had established that the other was in violation of the property division order, but that Husband was in contempt of other orders to pay attorney's fees. When reducing the matter to judgment, however, the Family Court noted that "unique circumstances" had "left Husband and Wife in a logjam that ha[d] resulted in the waste of substantial judicial resources with no progress towards resolving any of the issues between [them]." Therefore, "[i]n the interests

of judicial economy," the court found it "appropriate to offset the amounts Husband owes Wife against the amounts Wife owes Husband." The court also determined that, "going forward," Wife should be responsible for 40% of "necessary expenses" related to the rental property. Husband's appeal and Wife's cross-appeal followed. In connection with his appeal, Husband has also filed a motion to supplement the Family Court record.

(4) In an appeal of a Family Court order, we review the facts and the law as well as the inferences and deductions made by the trial judge.[2] In this case, having considered the parties' positions on appeal and the Family Court record, we conclude that the September 12, 2012 decision should be affirmed. There is nothing in the record supporting the parties' contentions that the Family Court abused its discretion or otherwise erred when ruling on their petitions for rules to show cause. Moreover, there is no need to supplement the record on appeal.

NOW, THEREFORE, IT IS ORDERED that Husband's motion to supplement the record is DENIED. The judgment of the Family Court is AFFIRMED.

BY THE COURT:

/s/ Henry duPont Ridgely
Justice

[2] *Clark v. Clark*, 2012 WL 6597798, at *2 (Del. Dec. 17, 2012) (citing *Solis v. Tea*, 468 A.2d 1270, 1279 (Del. 1983)).