

**STATE OF MICHIGAN**  
**COURT OF APPEALS**

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PATRICIA L. TEACHOUT, also known as  
PATRICIA L. ELLIS,

Plaintiff-Appellee,

v

JOHN J. TEACHOUT,

Defendant-Appellant.

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UNPUBLISHED  
August 20, 2020

No. 349692  
Calhoun Circuit Court  
LC No. 2018-002508-DO

Before: MURRAY, C.J., and CAVANAGH and SWARTZLE, JJ.

PER CURIAM.

In this divorce action, defendant, proceeding *in propria persona*, appeals as of right the judgment of divorce that divided the parties' property. We affirm.

I. BACKGROUND

The parties married in 1978, and they have three adult children. For much of their marriage, defendant worked for Kellogg's, and he is now retired. Plaintiff worked outside the home at times during the marriage, mostly part-time. She was also primarily responsible for caring for the home and the children. Plaintiff filed for divorce in September 2018, by which time both parties had reached retirement age.

Although plaintiff initially asked for spousal support, she relinquished her claim for spousal support at trial, seeking instead simply to have the parties' property divided. Their main assets and debts consisted of: (1) the marital home, which they purchased in 1983; (2) defendant's pension from Kellogg's; (3) a 2010 Dodge Caravan van and related loan on the van; (4) a 1998 GMC truck; (5) two Harley Davidson motorcycles and an antique truck body; (6) a \$9,000 insurance payment from Nationwide Insurance relating to the theft of marijuana plants; (7) marijuana plants; (8) miscellaneous personal property, including paintings done by plaintiff; (9) bank accounts totaling less than \$3,000; and (10) two loans (totaling less than \$5,000) and approximately \$800 in credit-card debt.

The property issues in dispute should have been relatively straightforward. Yet, pretrial litigation lasted approximately 10 months, in large part because defendant refused to comply with court orders regarding mediation, payment of temporary spousal support, and appraisals of property. As a result, the trial court held defendant in contempt, entered a default against him, accepted plaintiff's representations of the value of real and personal property, and awarded plaintiff \$1,092 in attorney fees related to the contempt proceedings. Following a one-day bench trial, the trial court ordered the marital home sold, and allocated the debts and assets between the parties.

Defendant now appeals as of right, challenging: (1) the trial court's jurisdiction and authority to enter orders in this case; (2) the trial court's order holding defendant in contempt; (3) the entry of default and exclusion of defendant's evidence regarding property values; (4) the equity of the property division; and (5) the award of attorney fees to plaintiff.

## II. ANALYSIS

### A. STANDARDS OF REVIEW

A claim that the trial court lacks jurisdiction is a question of law, which this Court reviews de novo. *Reed v Reed*, 265 Mich App 131, 157; 693 NW2d 825 (2005). Likewise, this Court reviews constitutional issues de novo. *Id.* Questions involving the validity of a statute or the interpretation of statutes and court rules are reviewed de novo. *Estes v Titus*, 481 Mich 573, 578; 751 NW2d 493 (2008).

Regarding contempt, we review a trial court's issuance of a contempt order for an abuse of discretion. *Porter v Porter*, 285 Mich App 450, 454; 776 NW2d 377 (2009). "The abuse of discretion standard recognizes that there will be circumstances where there is no single correct outcome and which require us to defer to the trial court's judgment; reversal is warranted only when the trial court's decision is outside the range of principled outcomes." *Id.* at 455. "Moreover, a trial court's factual findings are reviewed for clear error and questions of law are reviewed de novo." *Id.* at 454-455.

This Court has summarized our review of property divisions in divorce actions as follows:

In deciding issues on appeal involving division of marital property, this Court first reviews the trial court's findings of fact. Findings of fact, such as a trial court's valuations of particular marital assets, will not be reversed unless clearly erroneous. A finding is clearly erroneous if, after a review of the entire record, the reviewing court is left with the definite and firm conviction that a mistake was made. If the trial court's findings of fact are upheld, this Court must decide whether the dispositive ruling was fair and equitable in light of those facts. The dispositional ruling is discretionary and will be affirmed unless this Court is left with a firm conviction that the division was inequitable. [*Butler v Simmons-Butler*, 308 Mich App 195, 207-208; 863 NW2d 677 (2014) (citation omitted).]

Finally, we review for an abuse of discretion the trial court's award of attorney fees, and review for clear error the trial court's underlying factual findings. *Safdar v Aziz*, 327 Mich App 252, 267; 933 NW2d 708 (2019); *Taylor v Currie*, 277 Mich App 85, 99; 743 NW2d 571 (2007).

## B. JURISDICTION & TRIAL COURT'S AUTHORITY

Defendant broadly challenges the trial court's jurisdiction and authority over the parties' property. According to defendant, many of the trial court's acts were ultra vires and an unconstitutional attempt to make defendant a "peon." This included the trial court's actions ordering the appraisal of property; requiring defendant to employ particular appraisers; allowing appraisers to enter defendant's land; and ultimately, in defendant's view, depriving defendant of his constitutional rights and the fruits of his labor by awarding property to plaintiff. Defendant maintains that the trial court's orders were void because the trial court lacked jurisdiction. These arguments lack merit.

"The jurisdiction of the circuit courts over divorce cases is strictly statutory." *Fowler v Fowler*, 191 Mich App 318, 319; 477 NW2d 112 (1991). Jurisdiction is conferred by MCL 552.6(1), which states:

A complaint for divorce may be filed in the circuit court upon the allegation that there has been a breakdown of the marriage relationship to the extent that the objects of matrimony have been destroyed and there remains no reasonable likelihood that the marriage can be preserved. In the complaint the plaintiff shall make no other explanation of the grounds for divorce than by the use of the statutory language.

Under the no-fault divorce statutes, once the trial court has jurisdiction, the trial court's authority includes the power to divide real and personal property, MCL 552.19, including rights to a pension, MCL 552.18. When a trial court has jurisdiction over a divorce, "it is mandatory that the court dispose of the related matters of alimony, support and property." *Engemann v Engemann*, 53 Mich App 588, 594; 219 NW2d 777 (1974). This power to divide property includes the power to order the sale of property. MCL 552.103.

More generally, a divorce "shall be conducted in the same manner as other suits in courts of equity; and the court shall have the power to award issues, to decree costs, and to enforce its decrees, as in other cases." MCL 552.12. This includes the power to hold a litigant in contempt and to enter a default. See *Johnson v White*, 261 Mich App 332, 345; 682 NW2d 505 (2004); *Draggoo v Draggoo*, 223 Mich App 415, 428-429; 566 NW2d 642 (1997).

A court possesses inherent authority to enforce its own directives. A divorce case is equitable in nature, and a court of equity molds its relief according to the character of the case; once a court of equity acquires jurisdiction, it will do what is necessary to accord complete equity and to conclude the controversy. [*Reed Estate v Reed*, 293 Mich App 168, 180; 810 NW2d 284 (2011) (cleaned up).]

Ultimately, “[c]ircuit courts have jurisdiction and power to make any order proper to fully effectuate the circuit courts’ jurisdiction and judgments.” MCL 600.611. It follows that in this case, contrary to defendant’s arguments, the trial court had jurisdiction over the divorce.

We note that defendant’s brief contains citations to divorce cases involving residency requirements and changes of domicile. Under MCL 552.9(1), there are residency requirements for a divorce action. *Smith v Smith*, 218 Mich App 727, 730; 555 NW2d 271 (1996). And the residency requirements are jurisdictional, meaning that if “these requirements are not met, the court cannot grant a judgment of divorce and must dismiss the case.” *Id.* Although he cites cases involving changes of domicile as affecting a court’s jurisdiction over a divorce action, defendant does not advance the argument that plaintiff did not live in Calhoun County, Michigan, for the periods required by MCL 552.9(1). Instead, defendant’s assertions regarding domicile relate to his argument that plaintiff abandoned property by leaving the marital home. This appears to be a property argument, which will be addressed later in this opinion; it is not a jurisdictional argument. And in any event, although plaintiff left the marital home, her complaint indicates that she continued to reside in Calhoun County, Michigan, and there is no evidence to the contrary. The trial court had jurisdiction. See MCL 552.6; MCL 552.9(1).

Because the trial court possessed jurisdiction, its orders are “voidable, not void.” See *Reed*, 265 Mich App at 162. That is, while defendant may dispute the propriety of the trial court’s rulings or orders, the fact remains that the trial court had jurisdiction over the divorce, and this jurisdictional authority included the power to direct the proceedings and to enter orders regarding the parties’ property. See *Buczowski v Buczowski*, 351 Mich 216, 222; 88 NW2d 416 (1958).

In disputing the trial court’s jurisdiction and authority, defendant makes various references to governmental immunity, ultra-vires acts, and acting under color of law. This case is a divorce action between defendant and plaintiff, not a lawsuit against the trial-court judge. In this context, defendant’s references to immunity and concepts related to a suit against a government actor are not relevant to the issues at hand. These appellate proceedings are available to correct error in the trial court’s rulings and orders. See *Forrester v White*, 484 US 219, 225; 108 S Ct 538; 98 L Ed 2d 555 (1988). The trial judge’s immunity is immaterial because suit has not been brought against the trial judge, and his immunity from suit has no bearing on the trial court’s jurisdiction over a divorce action.

Defendant seems to recognize on appeal that the trial court exercised jurisdiction in reliance on statutory provisions, but defendant asserts that these provisions are invalid. Contrary to defendant’s arguments, Michigan’s no-fault divorce statutes are constitutional and enforceable. See *Cowsert v Cowsert*, 78 Mich App 129, 132; 259 NW2d 393 (1977). In sum, the trial court had jurisdiction over the divorce action, MCL 552.6, and the power “to make any order proper to fully effectuate [its] jurisdiction and judgments.” MCL 600.611.

In arguing that Michigan’s no-fault divorce statutes are invalid, defendant relies on documents he obtained from the Secretary of State, which indicate that the office provided a “true copy” of various no-fault divorce statutes. Defendant’s argument is not entirely clear, but he seems to challenge the validity of the statutes in question based on a disclaimer on the Secretary of State document. Whether he received a “true copy” of the statutes from the Secretary of State is wholly immaterial to the validity of the statutes. Under MCL 8.47(3), the electronic compilation of the

Michigan Compiled Laws (available at <https://www.legislature.mi.gov>) is the official compilation of our state's statutes. Any copies provided to defendant by the Secretary of State are just that—copies. A party has the burden of showing by a preponderance of the evidence that a particular provision of the electronic compilation is erroneous, *id.*, and needless to say, defendant has not met this burden.

### C. CONTEMPT

Defendant contends that the trial court erred by holding him in contempt. Primarily, defendant appears to assert that he did not need to obey the trial court's orders because the orders were void; defendant also appears to believe he was justified in not complying with orders because the orders were wrong. These arguments lack merit.

“A trial court is empowered with the inherent right to punish all contempts of court.” *Johnson*, 261 Mich App at 345.

[T]he primary purpose of the contempt power is to preserve the effectiveness and sustain the power of the courts. Because the power to hold a party in contempt is so great, it carries with it the equally great responsibility to apply it judiciously and only when the contempt is clearly and unequivocally shown. [*Cassidy v Cassidy*, 318 Mich App 463, 504-505; 899 NW2d 65 (2017) (cleaned up).]

Contempt can be either criminal or civil. *Porter*, 285 Mich App at 455. When, as in this case, the court employs its contempt power “to coerce compliance with a present or future obligation or to reimburse the complainant for costs incurred by the contemptuous behavior, including attorney fees, the proceedings are civil.” *Id.*

By statute, a trial court may hold a party in contempt for failing to pay temporary support in an action for divorce. MCL 600.1701(f). More generally, a trial court may also hold a party in contempt for disobeying “any lawful order, decree, or process of the court.” MCL 600.1701(g). An order entered by a court without jurisdiction is absolutely void and need not be obeyed. *Matter of Hague*, 412 Mich 532, 544-545; 315 NW2d 524 (1982). But “[a] person may not disregard a court order simply on the basis of his subjective view that the order is wrong or will be declared invalid on appeal.” *In re Contempt of Dudzinski*, 257 Mich App 96, 111; 667 NW2d 68 (2003). “A party must obey an order entered by a court with proper jurisdiction, even if the order is clearly incorrect, or the party must face the risk of being held in contempt and possibly being ordered to comply with the order at a later date.” *Id.* at 110 (cleaned up).

In this case, the trial court concluded that defendant violated three orders: (1) the October 29, 2018 order requiring defendant to pay temporary spousal support to plaintiff during the pendency of the divorce; (2) the December 3, 2018 order regarding appraisals of the property that warned defendant of the possibility of contempt and required defendant to allow access to the marital home for an appraisal at plaintiff's expense; and (3) a September 24, 2018 scheduling order that set the case for mediation. There is no dispute that defendant violated these orders. Defendant did not pay temporary spousal support to plaintiff. On the day scheduled for the appraisals at the marital home, defendant locked the house and left the property, thereby denying access to plaintiff's appraisers. And defendant unilaterally canceled mediation.

Although his actions constituted a clear and unequivocal violation of court orders, defendant contends that he cannot be held in contempt because the orders were void for want of jurisdiction. As discussed above, the trial court had jurisdiction. See MCL 552.6. Accordingly, defendant was required to obey the orders or risk contempt. See *In re Contempt of Dudzinski*, 257 Mich App at 111. Defendant also appears to challenge the correctness of the underlying orders, asserting, for example: (1) that the trial court erred by awarding \$600 per month in temporary support; (2) that the trial court erred by ordering that defendant not be present during the appraisal of the marital home and that it was unreasonable to expect defendant to leave the home unlocked for the appraisers; and (3) that the trial court erred by ordering mediation over defendant's objections. Defendant's recourse if he disagreed with the orders was to seek an appeal; he could not simply disregard the orders on the basis of his subjective view that the orders were wrong or would later be declared invalid. See *id.* at 110-111. On this record, the trial court did not err by finding that defendant violated court orders.

In his statement of questions presented on appeal, defendant claimed that the trial court could not award plaintiff \$600 in temporary spousal support because this was more than she requested. This issue, raised in defendant's statement of questions presented but not briefed, is abandoned. See *Seifeddine v Jaber*, 327 Mich App 514, 520; 934 NW2d 64 (2019). In any event, this argument lacks factual and legal support. In her motion to equalize income, although plaintiff noted a shortfall in her income compared to her expenses of \$521, she sought to equalize the parties' income and she requested a monthly payment of \$1,063. More generally, in her prayer for relief, plaintiff asked the trial court to grant "other relief" as the court deemed "equitable and appropriate." In short, by awarding plaintiff \$600 in temporary support and ordering defendant to make monthly payments on the van loan (in the amount of \$330), the trial court did not award plaintiff more relief than she requested.

In his statement of questions presented, defendant also argued that the trial court erred by ordering that defendant not be present during the appraisal of the marital home and that it was unreasonable to expect defendant to leave the home unlocked for the appraisers. Because defendant failed to brief this issue, he has abandoned this argument. *Id.* In any event, a trial court's discovery decisions are discretionary. *Baker v Oakwood Hosp Corp*, 239 Mich App 461, 478; 608 NW2d 823 (2000). And, contrary to defendant's suggestions, the trial court's discretion included the authority to allow entry onto land for discovery purposes, such as an appraisal, and to limit the persons who could be present. See MCR 2.310(B)(1)(b); MCR 2.302(C)(5). See also *Hutchins v Hutchins*, 71 Mich App 361, 372; 248 NW2d 272 (1976). Given defendant's statements in open court—that he would consider anyone who entered his land a "trespasser" and his concurrent assertion of "a constitutional right to protect my land and protect my possessions"—the trial court did not abuse its discretion by barring defendant's presence during the appraisal. Further, there is no merit to defendant's suggestion that the trial court ordered him to leave the property and then held him in contempt for not being present to unlock the home. Contrary to defendant's argument, it was not impossible for defendant to comply with the order. See *Arbor Farms, LLC v GeoStar Corp*, 305 Mich App 374, 389; 853 NW2d 421 (2014). Defendant could have left the home unlocked. Alternatively, defendant could have avoided leaving the home unlocked by availing himself of the option of having a third party present for the appraisal or otherwise arranging for the appraisers to have a key. But defendant elected not to do so. To the extent defendant now

challenges the propriety of the trial court's appraisal order, on the facts of this case, the order was not an abuse of discretion.

Relying on MCR 3.216(C)(2), defendant argues that the trial court could not order mediation unless all parties agreed. In actuality, the portion of MCR 3.216(C)(2) cited by defendant provides that "[t]he court may not submit contested issues to *evaluative* mediation unless all parties so request." (Emphasis added). The trial court did not order evaluative mediation under MCR 3.216(I). Therefore, the trial court did not need the parties to request mediation, and on its own motion, the trial court could order mediation on contested issues. See MCR 3.216(A)(1) and (C)(1). Defendant did not file an objection to mediation under MCR 3.216(D), and there is no indication that any of the exemptions in MCR 3.216(D)(3) apply to this case. In short, the trial court did not err by submitting the case to mediation. See MCR 3.216(A)(1) and (C)(1).

To remedy defendant's contemptuous conduct, the trial court ordered defendant to pay for appraisals of the marital home and personal property at the marital home, using the appraisers selected by plaintiff. If defendant failed to do so, the trial court warned that it would accept plaintiff's determinations of value, which were based on what the appraisers could see from outside the home and in pictures provided by plaintiff. This effort to coerce defendant's compliance and to protect plaintiff from incurring the expense of additional appraisals was an eminently fair remedy for defendant's act of disobeying the court's order to allow plaintiff's chosen appraisers to access the property. See *Porter*, 285 Mich App at 455. Further, regarding attorney fees, the trial court did not err by ordering defendant to compensate plaintiff for attorney fees that she incurred as a result of defendant's contemptuous conduct.<sup>1</sup> See *Taylor*, 277 Mich App at 100. See also MCR 3.206(D)(2)(b). Finally, the trial court also ordered defendant to schedule mediation, and the trial court warned that it would enter a default should defendant fail to do so. The trial court's effort to compel defendant's compliance was not an abuse of discretion. See *Porter*, 285 Mich App at 455. See also MCR 2.410(A)(2) and (D)(3).

Despite the opportunity afforded by the trial court to purge himself of contempt and to comply with the trial court's orders without facing more serious repercussions, see *Porter*, 285 Mich App at 457, defendant persisted in his violation of court orders. First, defendant refused to schedule mediation. Second, defendant refused to obtain appraisals by the appraisers selected by plaintiff. Additionally, defendant did not pay plaintiff's attorney fees as ordered, and he still failed to make any temporary spousal support payments.

As a result, consistent with the trial court's warnings to defendant, (1) a default was entered against defendant and (2) the trial court accepted plaintiff's valuation of the real and personal property. This exercise of the trial court's contempt powers, in light of defendant's repeated violations of court orders, was not an abuse of discretion, particularly in light of the trial court's attempts to employ less drastic measures to compel defendant's compliance. See *Draggoo*, 223 Mich App at 429; see also MCR 2.313(B)(2)(b). Indeed, while entering a default against

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<sup>1</sup> In disputing the award of attorney fees, defendant also asserts that *he* in fact should be compensated for his litigation costs. There is nothing to support his assertion that he is entitled to recover expenses under MCR 3.206(D)(2).

defendant, the trial court exercised restraint by declining plaintiff's request to enter a default judgment of divorce and instead affording defendant an opportunity—limited by the predetermination of the value of the real property and much of the personal property at issue—to contest the division of this property and other disputed issues, including questions related to the insurance proceeds, vehicles, defendant's pension, and the parties' debts. Cf. *Draggoo*, 223 Mich App at 427-429. In sum, the trial court did not abuse its discretion by holding defendant in contempt and crafting an appropriate remedy for his contemptuous conduct.

#### D. DUE PROCESS

Defendant raises a variety of procedural and evidentiary issue, including claims couched in constitutional or due-process terms. Specifically, defendant first contends that the trial court abused its discretion and denied him due process and freedom of contract by excluding his valuation evidence and entering a default. Contrary to defendant's framing of the matter, the entry of default and the exclusion of defendant's appraisal was not an evidentiary ruling or an attempt to prevent defendant from contracting with the appraiser of his choice. Had defendant obeyed the trial court's orders—either allowing plaintiff's appraisers to enter the property initially or paying them for a second appraisal with access to the inside of the home—nothing would have prevented defendant from obtaining his own counterappraisal and offering his own evidence of value. But defendant elected not to obey the trial court's orders, and he was held in contempt. As discussed, the default and acceptance of plaintiff's representations of value as a remedy for defendant's refusal to provide plaintiff access to property for an appraisal was not an abuse of discretion. See *Draggoo*, 223 Mich App at 427-429; see also MCR 2.313(B)(2)(b). In view of defendant's conduct, he cannot now complain that the trial court refused to consider his evidence. See *Draggoo*, 223 Mich App at 430. Defendant received ample warning and numerous opportunities to purge himself of contempt. He was given notice and the opportunity to defend himself against the contempt allegations, and it is clear that excluding this evidence and entering a default as a remedy for contempt did not violate due process. See *Cassidy*, 318 Mich App at 506; *Porter*, 285 Mich App at 457.

More generally, defendant asserts that he had a due-process right to litigate the case, and he maintains that he was denied this right by actions of the trial court and plaintiff's attorney. Defendant also complains of "collusion" between the trial court and plaintiff's attorney. Defendant's arguments in this regard are not well-briefed, and it is not entirely clear what defendant is arguing. Nevertheless, from our review of the record, we conclude that defendant was not denied due process.

"Both the Michigan Constitution and the United States Constitution preclude the government from depriving a person of life, liberty, or property without due process of law." *Reed*, 265 Mich App at 159. "[D]ue process is a flexible concept, the essence of which is to ensure fundamental fairness." *Id.* (citation omitted). "Due process in civil cases generally requires notice of the nature of the proceedings, an opportunity to be heard in a meaningful time and manner, and an impartial decisionmaker." *Cummings v Wayne Co*, 210 Mich App 249, 253; 533 NW2d 13 (1995).

Defendant received all these protections. He was provided notice of the divorce action and notice of each of plaintiff's motions, including her request to hold defendant in contempt. The



trial court provided defendant a meaningful opportunity to be heard at each hearing, including in opposition to plaintiff's request to hold defendant in contempt. Defendant also had a meaningful opportunity to participate at trial. Although the trial court limited the proceedings by accepting plaintiff's valuation of the property, as discussed, this was an appropriate remedy for defendant's contemptuous conduct and not a deprivation of defendant's due-process rights. See *Cassidy*, 318 Mich App at 506; *Porter*, 285 Mich App at 457.

Finally, while defendant challenges the trial court's exercise of control over the proceedings and the correctness of the trial court's rulings in plaintiff's favor, defendant has not overcome the presumption that the trial judge was an unbiased and impartial decisionmaker. See *Huntington Nat'l Bank v Daniel J Aronoff Living Trust*, 305 Mich App 496, 517; 853 NW2d 481 (2014). Further, defendant's vague claims of collusion between the trial court and plaintiff's attorney lack any basis in the lower court record. Defendant received notice and a meaningful opportunity to be heard before an impartial decisionmaker. See *Cummings*, 210 Mich App at 253. He was not denied due process. See *id.*

Defendant also appears to accuse plaintiff's attorney of unspecified misconduct involving acting in bad faith and having unclean hands. In his statement of questions presented and his statement of facts, defendant also suggests that there was something improper in plaintiff's attorney notarizing the complaint because a notary cannot notarize her own documents. These inadequately briefed issues are abandoned. See *Seifeddine*, 327 Mich App at 520. In any event, defendant's arguments lack merit. Although a notary public cannot notarize her own signature or a record that she executes, MCL 55.291(2), the complaint was signed by plaintiff, and the attorney notarized plaintiff's signature. This was not improper. See generally MCL 55.285; MCL 55.291(10). Defendant does not identify any other alleged misconduct with specificity, and we find nothing in the conduct of plaintiff's attorney that would entitle defendant to relief on appeal. See generally MCR 2.613(A).

In his statement of questions presented, defendant also asserts that he was effectively denied his right to self-representation. This argument, which he fails to adequately brief, is abandoned. See *Seifeddine*, 327 Mich App at 520. In any event, defendant's argument lacks merit given that he in fact represented himself at all proceedings and the trial court considered defendant's various submissions. See generally *Ann Arbor Bank v Weber*, 338 Mich 341, 346; 61 NW2d 84 (1953). Relying on MCR 2.119(A)(1), defendant also faults the trial court for refusing to consider a motion because defendant failed to provide notice and submit the motion in writing. Our review of the record shows that, although the trial court initially stated that defendant had to provide notice for his motion, defendant nevertheless argued his motion and requested an adjournment, which the trial court denied. Defendant does not challenge the propriety of the trial court's ruling, and we see no basis to grant defendant relief on appeal. See MCR 2.613(A).

## E. PROPERTY DIVISION

Defendant also challenges the equity of the property division, asserting that the trial court erred by adopting a "cookie-cutter" approach rather than considering the specific facts of the case. In particular, defendant contends that (1) the trial court erred by failing to recognize that plaintiff abandoned the marriage and the marital property by leaving the home and (2) the trial court erred by failing to recognize that plaintiff contributed nothing to the marriage. These arguments lack

merit. We have reviewed the record, and we conclude that the trial court's factual findings were not clearly erroneous, and the trial court's distribution of property—a fairly even split between the parties—was not an abuse of discretion. *Richards v Richards*, 310 Mich App 683, 694; 874 NW2d 704 (2015).

#### F. PLAINTIFF'S CLAIMS

Finally, we note that, without filing a cross-appeal, plaintiff attempts to challenge aspects of the trial court's decisions. Specifically, in her appellee brief, plaintiff contends that (1) the trial court should have equalized the parties' income by giving plaintiff a greater share of defendant's pension; (2) the trial court should have entered her proposed default judgment of divorce as a remedy for defendant's contempt; and (3) the trial court should have ordered defendant to pay *all* of her attorney fees and costs, not merely the \$1,092 incurred as a result of defendant's contempt. These arguments are not properly before this Court because plaintiff did not file a cross-appeal and she is requesting greater relief than that awarded by the trial court. See *Bank of America, NA v Fidelity Nat'l Title Ins Co*, 316 Mich App 480, 518; 892 NW2d 467 (2016). Accordingly, we will not consider plaintiff's requests for additional relief.

Affirmed.

/s/ Christopher M. Murray

/s/ Mark J. Cavanagh

/s/ Brock A. Swartzle