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APPROVAL OF THE APPELLATE DIVISION**

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-3496-20**

HUI XIE,

Plaintiff-Respondent,

v.

STANLEY X. WANG,

Defendant-Appellant.

Submitted December 7, 2022 – Decided December 15, 2022

Before Judges Haas and Mitterhoff.

On appeal from the Superior Court of New Jersey,
Chancery Division, Family Part, Mercer County,
Docket No. FM-11-0703-20.

Stanley X. Wang, appellant pro se.

Hui Xie, respondent pro se.

PER CURIAM

Defendant Stanley X. Wang appeals from the June 1, 2021 Final Judgment of Divorce by Default, which Judge Kay Walcott-Henderson entered after

conducting an evidentiary hearing pursuant to Rule 5:5-10. At the hearing, plaintiff Hui Xie presented testimony concerning the breakdown of the parties' marriage due to irreconcilable differences, their respective incomes, their children's needs, and their marital assets.

In a lengthy oral opinion, Judge Walcott-Henderson determined that the relief plaintiff requested was "fair and equitable" under the totality of the circumstances. In the June 1, 2021 judgment, the judge granted the parties' joint legal custody of the children, ordered defendant to pay plaintiff \$1,700 per month in limited duration alimony, and provided for the equitable distribution of the parties' assets.¹

Defendant did not file an answer to plaintiff's complaint for divorce and, therefore, he did not participate in the hearing. On appeal, he asserts the trial judge incorrectly entered the final judgment "without collecting enough [information] from" him. Based on our review of the record and the applicable law, we affirm substantially for the reasons expressed by Judge Walcott-Henderson. We add the following brief comments.

¹ The judgment also stated that defendant did not have to pay child support, although plaintiff could seek child support in the future.

The scope of our review of the Family Part's order 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 the [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, defendant's arguments concerning the June 1, 2021 final judgment of divorce reveal nothing "so wide of the mark" that we could reasonably conclude the judge's rulings constituted "a denial of justice." Defendant had the opportunity to answer plaintiff's complaint and to participate at the evidentiary hearing. He failed to do so. Defendant's brief also does not identify any specific errors he believes the judge made in her comprehensive oral decision. Instead, the record amply supports the judge's factual findings and, in light of those findings, her 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