FILED
JAN 26 1982
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF WILLIAM L. CORE AND SANDRA L. CORE

UPON THE PETITION OF WILLIAM L. CORE,	)	**13**
Petitioner-Appellee,	)	Filed January 26, 1982
AND CONCERNING	)	1-449 3-66845
SANDRA L. CORE,	)	
Respondent-Appellant.	)	

Appeal from Story District Court, M. D. Seiser, Judge.

Respondent-wife appeals from the award of child custody to petitioner-husband. AFFIRMED.

Victor G. Lathrop of Payer, Steensland & Lathrop, Ames, for respondent-appellant.

Richard J. Lowther, Ames, for petitioner-appellee.

Heard by Oxberger, C.J. and Donielson, Snell, Carter, and Johnson, JJ.

Respondent-wife appeals from the award of child custody to petitioner-husband. We affirm.

The parties were married in 1974, and their only child, Stephanie, was born in September 1976. In 1979 husband William filed a petition for dissolution of marriage. In that petition he did not initially ask for custody of Stephanie.

In February 1980, after the dissolution proceeding but before the decree was filed, William filed a petition to reopen in which he requested a further hearing be held on custody. He asserted the hearing was necessary because Sandra, respondent-wife, was refusing to cooperate in arranging visitation.

Initially the trial court filed a decree awarding custody to Sandra, but on the same day, February 15, 1980, the court also filed a supplemental order which provided that Sandra would only receive temporary custody of Stephanie. Another hearing on the matter was held, and the trial court granted permanent custody to William. Sandra appealed.

The supreme court has stayed the transfer of Stephanie's custody to William and has ordered William to pay $250 per month in child support.

I. Scope of Review.

Our review of this equitable proceeding is de novo. Iowa R. App. P. 4. As in all cases of this type, precedent is of little value, and our decision must ultimately depend on the particular facts of this case. In re Marriage of Kehrli, 241 N.W.2d 923, 926 (Iowa 1976).

II. Custody Award.

In this particular case, many factors dictate that we affirm the original award of custody to William. Our major consideration in determining custody is the best interest of the child involved, Iowa R. App. P. 14(f)(15), and some of the

many factors that we have taken into account in considering this case are listed in the case of In re Marriage of Winter, 223 N.W.2d 165 (Iowa 1974).

William has shown that he will provide Stephanie with a loving and caring environment, that he has a well-thought out philosophy of child rearing, and that he has a trusting relationship with Stephanie. He can provide more social, emotional, and financial stability than her mother can, and as the custodial parent he would encourage, rather than discourage, a relationship between Stephanie and her noncustodial mother. William would encourage the development of relationships between Stephanie and both sets of her grandparents.

It appears to us, that while Sandra loves Stephanie a great deal, Sandra is so insecure that she is trying to destroy Stephanie's relationship with William and his parents. She is poisoning Stephanie's feelings about William through her repeated, though unfounded, accusations of sexual abuse and through her refusal to cooperate in William's visitation rights. Perhaps Sandra's attitude is best characterized by her statement to Nowena Wood that if she (Sandra) got custody of Stephanie, William would not be a problem because he would become disinterested in seeing Stephanie after about a year. Evidently Sandra really does not see William as having any part in Stephanie's life.

Given the recommendations of the experts in this case, together with the circumstances we outlined, we agree that William should have custody of Stephanie.

III. Attorney's Fees.

We direct William to pay $450 toward Sandra's legal fees.

IV. Conclusion.

We affirm the original award of custody of Stephanie Core to her father, William. We terminate the temporary stay and the temporary support order entered herein.

AFFIRMED.