

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF
JEANNETTE LOUISETTE GREENE AND PAUL LEE GREENE

FILED

DEC 22 1988

CLERK SUPREME COURT

Upon the Petition of)

JEANETTE LOUISETTE GREENE,)

Petitioner-Appellee,)

And Concerning)

PAUL LEE GREENE,)

Respondent-Appellant.)

8-620
88-174

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Appeal from the Iowa District Court for Linn County (DM 11958), August F. Honsell, Judge.

Appeal from order modifying alimony provisions of a dissolution decree. **AFFIRMED.**

Richard D. Raymon, Cedar Rapids, for respondent-appellant.

Allan L. Harms, Cedar Rapids, for petitioner-appellee.

Considered by Hayden, P.J., and Sackett and Habhab, JJ.

HAYDEN, P.J.

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Jeanette and Paul had been married 27 years. Their marriage was dissolved on January 2, 1985.

Jeanette is a native of France and came to this country with Paul after they were married in 1957. She has not completed a secondary education. In 1984 and 1985 she took courses in basic arithmetic and English language skills. She has not received a G.E.D. or high school diploma. At the time of dissolution she was an unemployed housewife and had no training or work skills for jobs outside of the home. She has not remarried. She found part-time work at Mercy Hospital as a food server. She has worked 14 to 15 hours per week at a wage of \$4.33 per hour. Since Jeanette commenced work she developed a physical and neurological ailment which has been diagnosed as "painful progressive sensory peripheral neuropathy." Her physician states this problem is uncorrectable and progressive. She also suffers from depression.

Paul has maintained his employment at Rockwell-Collins in Cedar Rapids. His earnings are \$17.30 per hour. In 1984 his earnings at Rockwell-Collins were \$39,410 and in 1986 they were \$36,612. Since the dissolution Paul has reentered the refrigeration business and has become a one-fourth owner of a bar business. He has remarried. His present wife is employed in that bar and also owns a one-fourth interest.

Paul and Jeanette's two children were adults over the age of 22 at the time of the dissolution.

Jeanette was awarded \$260 alimony every two weeks until she remarried or either party died.

In this modification proceeding, Paul requests the alimony be terminated and Jeanette seeks an increase in alimony. After trial the trial judge increased Jeanette's alimony to \$300 every two weeks and awarded her \$1,500 toward her trial attorney fees. Paul appeals. Jeanette requests attorney fees on appeal.

Appellate review of a dissolution action is de novo. We give weight to the fact findings by the trial court but are not bound by them. Iowa R. App. P. 14(f)(7). We have carefully reviewed the record in this case in light of the factors to be considered as provided in Iowa Code section 598.21(8). We are convinced the trial court did substantial justice in increasing the award of alimony to Jeanette and the \$1,500 award to her for her trial attorney fees. Thus, we affirm the trial court award.

We award Jeanette \$750 to apply upon her appellate attorney fees and direct the Clerk of the Linn County District Court to enter judgment against Paul for that amount. Costs of this appeal are assessed against Paul.

AFFIRMED.