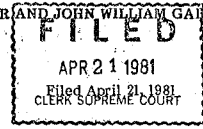
IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF VIONA DORINE GARDNER AND JOHN WILLIAM GARDNER



In re the Marriage of)
VIONA DORINE GARDNER,)
Petitioner-Appellee,)
And Concerning)
JOHN WILLIAM GARDNER,)
Respondent-Appellant.)

1-48
2-64752

Appeal from Fremont District Court - Harold L. Martin, Judge.

Respondent-husband appeals from economic provisions of the parties' dissolution decree, asserting that the property division and alimony decrees are inequitable. AFFIRMED.

John S. Redd, Sidney, Iowa, for respondent-appellant.

Jennifer J. Rose, Shenandoah, Iowa, for petitioner-appellee.

Submitted to Oxberger, C.J., and Donielson, Snell, Carter and Johnson, JJ.

PER CURIAM

Respondent-husband appeals from economic provisions of the parties' dissolution decree, asserting that the property division and alimony decrees are inequitable. Our review is de novo. Iowa R. App. P. 4. We affirm.

John and Viona Gardner were married on November 27, 1959; Viona filed this petition on June 18, 1979. They have one surviving child, Timmy, now 17 years old. Under the court's decree, Viona was awarded the house and all household goods, valued at $11,000. John was awarded the pickup, car and motorcycles with a total value of $5,000 (the car is encumbered by an $800 debt). He was also ordered to pay $23.75 per week in child support and $81.25 per week in alimony. Other provisions are not in dispute. His appeal followed.

We look to the familiar factors of Schantz v. Schantz, 163 N.W.2d 398, 405 (Iowa 1968), except fault,[1] to determine an equitable division of property and award of alimony. We find no reason to disturb the decree in any way. Viona has monthly expenses of $440 but cannot maintain outside employment due to her back problems. John's net monthly income is $925; his monthly expenses total $410. Under these circumstances, we think that the provisions of the decree are equitable and should be affirmed.

AFFIRMED.

[1] John states as one of his issues that the trial court improperly considered evidence of fault. He makes no argument and cites no authority in his brief on this issue. Pursuant to Iowa R. App. P. 14(a)(3), we deem the issue waived.