FILED
MAY 31 1978
CLERK SUPREME COURT



IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF BERNICE M. STOLBA and WOODROW W. STOLBA

Upon the Petition of

**BERNICE M. STOLBA,**

Appellee,

And Concerning

**WOODROW W. STOLBA,**

Appellant.

Filed May 31, 1978

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2-60539

Appeal from Linn District Court - Harold D. Vietor, Judge.

Husband appeals from economic provisions of dissolution decree. Affirmed.

John C. Platt, of Chipokas, Koehler & Platt, of Cedar Rapids, for appellant.

John Monroe, of Lynch, Dallas, Smith & Harman, of Cedar Rapids, for appellee.

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

PER CURIAM

Respondent, Woodrow W. Stolba, appeals from the economic provisions of the March 3, 1977 decree dissolving his 30 year marriage to petitioner, Bernice M. Stolba. Our review is de novo. Rule 4, Rules of Appellate Procedure. We are guided in matters of marital asset division by the criteria listed in Schantz v. Schantz, 163 N.W.2d 398 (Iowa 1968). However, we do not consider fault. In re Marriage of Williams, 199 N.W.2d 339 (Iowa 1972).

The parties were married in 1947. At the time of trial both were 63 years old. Their two children are adults. Woodrow last worked in 1965 and receives combined V.A. and social security benefits of $428 per month. His health is very poor. He has had a colostomy and another operation for stomach and intestinal problems. He has blood clots in both legs and an open stomach sore which refuses skin grafts. Bernice has cataracts and high blood pressure, but was working at the time of the decree. March 11, 1978, is her mandatory retirement date at which time she should receive a $460 monthly retirement benefit from her employer plus an undisclosed amount of social security.

The assets, incomes and debts of the parties were stipulated. The trial court ordered a nearly equal division of the approximately $70,000 net assets. Alimony was not awarded. On appeal Woodrow seeks reduction of the $17,000 lump sum he was ordered to pay Bernice and also requests "compensation" for the $17.69 a month decrease in his Veterans Administration pension caused by the loss of his "married" status.

We have studied the record and conclude that the trial court decree makes an equitable division of the parties' assets. This marriage was one of 30 years. During most of that time the parties shared their expenses equally. Both parties are or soon will be retired, living on fixed incomes. From 1966 until 1971, when Woodrow qualified for social security, Bernice's employment provided the sole source of income for the couple. She has been employed for nearly 50 years. The decree of the trial court is affirmed.

AFFIRMED.