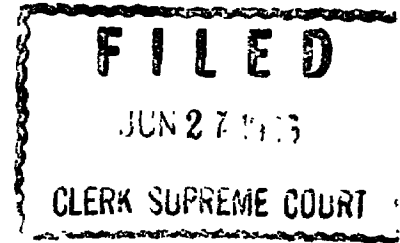


IN THE COURT OF APPEALS OF IOWA

No. 6-063 / 94-2134



**IN RE THE MARRIAGE OF JUDITH M. WOHLFORD
AND HAROLD E. WOHLFORD**

Upon the Petition of
JUDITH M. WOHLFORD,

Petitioner-Appellant,

And Concerning
HAROLD E. WOHLFORD,

Respondent-Appellee.

Appeal from the Iowa District Court for Clayton County, John Bauercamp,
Judge.

Judith Wohlford appeals certain economic provisions in the parties' dissolution
of marriage decree. **AFFIRMED.**

Marc W. Casey, Dyersville, for appellant.

Steve McCorkindale of Ehrhardt, Gnagy & McCorkindale, Elkader, for
appellee.

Considered by Cady, P.J., Huitink, J., and Hayden, S.J.*

*Senior judge from the Iowa Court of Appeals serving on this court by order
of the Iowa Supreme Court.

PER CURIAM

This is an appeal by a wife claiming the property division in the parties' dissolution decree was inequitable and that she should have been awarded alimony. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Judith and Harold Wohlford were married in 1988. This was a second marriage for both parties. Both parties brought substantial assets to the marriage. Judith had a minor child, Nick, from her first marriage who lived with the parties.

Judith is employed as an administrative assistant for an insurance agent, where she receives annual income of \$14,400. She also receives an annual pension benefit of \$2,352 due to the death of her first husband. Furthermore, she will receive \$14,326 per year in workers' compensation benefits until Nick reaches the age of twenty-five or is no longer a full-time student. Harold is retired from the Federal Aviation Association. He receives an annual pension of \$32,796.

The district court entered a dissolution decree for the parties on September 22, 1994. The court awarded to each party the assets he or she brought to the marriage. The court valued the assets accumulated during the marriage at \$47,404 and awarded each party one-half of these assets. The court also awarded Judith \$205.91 per month from Harold's pension. Judith has appealed.

I. Judith contends the property division was inequitable to her because she should have received more than 50% of the parties' marital assets. She states she

gave up her job and home in Wisconsin in order to marry Harold, and she should now be compensated for the sacrifices she made.

The partners in a marriage are entitled to a just and equitable share of the property accumulated through their joint efforts. *In re Marriage of Russell*, 473 N.W.2d 244, 246 (Iowa App. 1991). We agree with the district court that Judith is entitled to one-half of the assets the parties accumulated during the marriage. We find no valid reason to award her a greater share of these assets.

II. Judith claims she should have been awarded alimony. She points out that her workers' compensation benefits will end in nine years, if not sooner, and that her standard of living will then be greatly reduced. She states Harold has the ability to pay alimony.

Alimony is not an absolute right; an award depends upon the circumstances of each particular case. *In re Marriage of Whelchel*, 476 N.W.2d 104, 110 (Iowa App. 1991). The discretionary award of alimony is made after considering those factors listed in Iowa Code section 598.21(3). *Id.* at 110-111. In the present case, we find alimony is not warranted. Judith's employment income makes her self-supporting.

We affirm the decision of the district court on each issue raised in this appeal. Costs of this appeal are assessed to Judith.

AFFIRMED.