FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

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IN THE MATTER OF THE ESTATE OF DUANE EARL FORKNER, Deceased.

DALE A. FORKNER,

Executor-Appellant,

vs.

BARBARA J. FORKNER,

Appellee.

Filed October 28, 1987

7-340
86-1610

Appeal from the Iowa District Court for Linn County (No. PR 14743-0986), Thomas J. Horan, Judge.

The executor appeals from the trial court's award of a spousal support allowance from the estate of the decedent, claiming: (1) the trial court erred in failing to accept evidence concerning the proper amount to grant the surviving spouse; (2) the spouse failed to sustain her burden of proving her entitlement to $750.00 monthly in spousal support; and (3) the record does not support the trial judge's decision. **AFFIRMED.**

Thomas J. Meeker and Mary K. Hoefer, Cedar Rapids, for the executor-appellant.

James L. Chipokas of Chipokas & Flitz, Cedar Rapids, for appellee.

Considered by Oxberger, C.J., and Schlegel and Sackett, JJ. Snell, J., takes no part.

PER CURIAM

On August 6, 1986, Duane Earl Forkner died. On that date he and his wife, Barbara, were in the process of dissolving their marriage. Duane's estate was opened on September 3 and, on September 18, Barbara filed an application for an allowance as a surviving spouse. See Iowa Code § 633.374 (1985). A hearing on the application was held on October 8, after which the district court granted Barbara's application, allowing her $750.00 per month for twelve months. The estate's executor brings this appeal in order to challenge, on several grounds, the granting of the allowance. Although we review these equity matters de novo, Iowa Code § 633.33 (1985); Iowa R. App. P. 4, we will not interfere with a district court's allowance absent an abuse of discretion. In the Matter of the Estate of Tollefsrud, 275 N.W.2d 412, 415 (Iowa 1979).

The estate contends that the district court lacked an adequate record to approve Barbara's application; that Barbara failed to prove her entitlement to the $750.00 award; and that the record does not support such an award. While these matters, taken separately, may provide us with interesting theoretical issues, we are not persuaded to so deal with them. Such individual errors, if present, will not result in reversal unless it appears that the estate suffered prejudice as a result. See, e.g., Shane v. Russell, 250 Iowa 44, 46, 92 N.W.2d 567, 568 (1958). Accordingly, in the context of the present appeal, the dispositive issue is whether the allowance manifests the district court's abuse of discretion. We do not believe it does.

The estate's inventory reflects a total gross value of $135,460.10, including $52,573.00 of jointly-owned property. The $9,000.00 allowance represents 6% of this total. While we do not mean to infer that a strictly mathematical analysis governs our review, we do note that our cases have recognized such a percentage as an appropriate exercise of judicial discretion. See generally Gunderson v.

Frick, 192 Iowa 75, 182 N.W. 790 (1921); In re Estate of McClelland, 187 Iowa 866, 174 N.W. 691 (1919). We are not persuaded that the district court abused its discretion in the case at bar and, accordingly, that court's order is affirmed.

AFFIRMED.