

IN THE COURT OF APPEALS OF IOWA

No. 6-682 / 96-0887

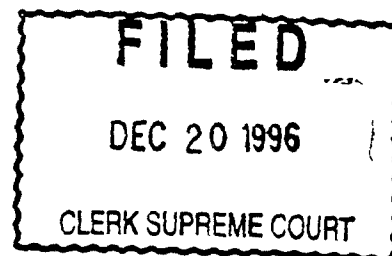
**IN RE THE MARRIAGE OF LAURIE ANN ROYSTER
AND JAMIE WILLARD ROYSTER**

**Upon the Petition of
LAURIE ANN ROYSTER,**

Petitioner-Appellant,

**And Concerning
JAMIE WILLARD ROYSTER,**

Respondent-Appellee.



Appeal from the Iowa District Court for Union County, Richard D. Morr,
Judge.

Laurie Royster appeals from the district court's order granting Jamie Royster
primary physical care of their two children. **AFFIRMED.**

James C. Steffes of Steffes, Kenyon & Nielsen, Creston, for appellant.

Scott Swier of Mullin, Mullin & Harvey, Creston, for appellee.

Considered by Habhab, P.J., and Huitink and Vogel, JJ., and Streit, J., takes
no part.

PER CURIAM

This is an appeal by a mother claiming the district court should not have granted the father primary physical care of the parties' two children in the decree of dissolution of marriage. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

Laurie and Jamie Royster were married in 1988. They have two children, Ashley, born in 1989, and Zachary, born in 1991. Laurie is employed at WoodMark in Winterset, where she has annual income of about \$15,142. Jamie is employed by Wellman Dynamics in Creston, where he earns about \$18,768. During most of the parties' marriage they lived with Jamie's parents. While Laurie and Jamie were at work Jamie's mother, Sharon, provided care for the children.

The district court issued a dissolution decree for the parties on May 8, 1996. The court granted the parties joint legal custody of the children, with Jamie having primary physical care. The court found it was more likely Jamie would present stability for the children in the future. Laurie was granted visitation and ordered to pay child support of \$300 per month.

Laurie appeals the custodial provision of the parties' dissolution decree. She states she was the primary caretaker for the children. From 1991 to 1994 Laurie did not work outside the home in order to spend more time with the children. She states that even after she went back to work she provided a majority of the care for the

children. She believes when Jamie has the children, he allows Sharon to provide a majority of their care.

In child custody cases, our first and governing consideration is the best interests of the children. *In re Marriage of Buttrey*, 538 N.W.2d 322, 324 (Iowa App. 1995). The court's objective is to place the children in the environment most likely to bring the children to a healthy physical, mental and social maturity. *In re Marriage of Rodgers*, 470 N.W.2d 43, 45 (Iowa App. 1991).

We agree with the district court that it appears Jamie can provide a more stable environment and future for the children. We defer to the judgment of the district court and find the children should be placed in Jamie's primary physical care.

Jamie asks for attorney fees for this appeal. We determine each party should pay his or her own appellate attorney fees.

We affirm the decision of the district court. Costs of this appeal are assessed to Laurie.

AFFIRMED.