FILED
AUG 25 1981
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF MARY J. RUBIE AND FRED G. RUBIE

Upon the Petition of	)	
MARY J. RUBIE,	)	Filed August 25, 1981
Petitioner-Appellee,	)	
And Concerning	)	1-247 2-65645
FRED G. RUBIE,	)	
Respondent-Appellant.	)	

Appeal from Dubuque District Court - L. John Degnan, Judge.

Respondent appeals from dissolution of marriage decree urging jurisdictional arguments. AFFIRMED.

James J. Roth of Roth & Schumacher, Dubuque, Iowa, for respondent-appellant.

Charles A. Kintzinger and Stephen W. Scott of Kintzinger, Kintzinger, Van Etten, Setter & Scott, Dubuque, Iowa, for petitioner-appellee.

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

Respondent appeals from dissolution of marriage decree urging jurisdictional arguments.

He contends (1) no testimony was offered in the trial court showing that the statutory grounds for granting a decree of dissolution of marriage existed, and (2) no evidence of residency was offered sufficient to sustain the subject matter jurisdiction of the court. Subsequent to the initiation of this appeal, the trial court, pursuant to Iowa R. App. P. 10(d), has certified the contents of the record relating to these claims as the result of the unavailability of a transcript. Based upon the contents of such certification, we find respondent's claims to be without merit. The trial court's decree is affirmed. Respondent shall pay costs of this appeal, including an additional $800 to apply upon petitioner's attorney fees on appeal.

AFFIRMED.