FILED
AUG 25 1981
CLERK SUPREME COURT



IN THE COURT OF APPEALS OF IOWA

TERRI L. DAVIS,
Petitioner-Appellee,

vs.

RONALD CRIPPEN, JR.,
Respondent-Appellant.

Filed August 25, 1981

1-188
65183

Appeal from Linn District Court - Thomas Horan, Judge.

Respondent appeals from the adverse ruling of the trial court on his petition to vacate a prior judgment of paternity under Iowa R. Civ. P. 252(b), alleging that his consent to judgment in the prior proceeding was obtained through coercion. AFFIRMED.

John C. Platt of Chipikas, Platt, Maher & Forte, Cedar Rapids, Iowa, for respondent-appellant.

Gary Jarvis and Eugene J. Kopecky, Cedar Rapids, Iowa, for petitioner-appellee.

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

PER CURIAM

Respondent appeals from the adverse ruling of the trial court on his petition to vacate a prior judgment of paternity under Iowa R. Civ. P. 252(b), alleging that his consent to judgment in the prior proceeding was obtained through coercion.

The record reflects that in 1977, a petition for support was filed alleging that respondent was the father of petitioner's minor child. On November 15, 1978, respondent filed a consent to entry of an order of support admitting paternity and agreeing to pay a specified amount of child support.

The petition to vacate the prior judgment was filed on November 5, 1979, under Iowa R. Civ. P. 252(b). The defendant in this petition alleged that his consent was obtained through coercion. A hearing was held on the petition and respondent testified that his consent was given as a result of his attorney telling him that there was nothing he could effectively do to contest the paternity case. The attorney testified at the hearing that respondent had admitted having intercourse with petitioner at a time when conception was possible, and that he (the attorney) had not been able to obtain any further evidence indicating that someone else could have been the father. He stated that his advice to respondent was based upon these considerations.

We conclude that the trial court's findings and conclusions that the evidence presented was not sufficient to sustain a claim for relief under Iowa R. Civ. P. 252(b) has support in the record and we do not disturb the determination made by the trial court. See generally, Ware v. Eckman, 224 Iowa 783, 277 N.W. 725 (1938). We have considered all arguments presented and find no grounds for reversal.

AFFIRMED.