FILED
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CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF GEORGE C. YARGER AND JEAN E. YARGER

Upon the Petition of	)	390
GEORGE C. YARGER,	)	Filed February 26, 1986
Petitioner-Appellee,	)	
And Concerning	)	
JEAN E. YARGER,	)	5-721 85-894
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Wapello County (CD3414-1184) - James D. Jenkins, Judge.

Respondent wife appeals from the decree dissolving the parties' marriage. **AFFIRMED.**

Richard C. Bauerle of Johnson, Bauerle, Hester & Walter, Ottumwa, Iowa, for respondent-appellant.

R. Kurt Swaim, Bloomfield, Iowa, for petitioner-appellee.

Considered by Oxberger, C.J., Hayden, and Sackett, JJ.

The parties were married in December 1983. They separated in September 1984. This dissolution was commenced in November 1984 and following the trial in May 1985 a decree of dissolution of marriage was entered June 4, 1985.

This was Jean's third marriage and George's second marriage. No children were born of this marriage. Jean is 56 years old and George is 48. Jean has held a variety of jobs in the past and has also been self-employed, operating several businesses, including interior decorating, and motel and restaurant management. She had no income at the time of trial. George works at John Deere, earning $10.68 an hour. He expressed some concern at trial that he might be laid off. Both parties testified at trial that they have health problems.

The parties executed an antenuptial agreement before they were married which provided that neither party could share in the other's property in the event of the death of either party or the dissolution of their marriage.

The parties did not acquire any new property during the marriage, and in its dissolution decree, the trial court followed the antenuptial agreement by awarding each party his or her individual property. The trial court found that the house the parties had lived in during the marriage had been purchased by Jean before the marriage, that it should be awarded to her, and that she should bear any loss on its sale. The trial court found Jean's testimony that the parties had agreed to share the cost of the house not credible. The trial court denied Jean's request for alimony. It ordered each party to pay his or her own attorney fees and Jean to pay all court costs.

Jean claims on appeal that: (1) the trial court's provision regarding marital residence is inequitable; 2) she should have been awarded alimony and her attorney fees; and, 3) the court costs should not have been taxed to her. Also, she asks for attorney fees on appeal. We affirm.

Our review is de novo. Iowa R. App. P. 4. We give weight to the factfindings of the trial court, especially when considering the credibility of witnesses, but we are not bound by them. Iowa R. App. P. 14(f)(7).

George did not cause Jean's financial and business setbacks and losses. The credible evidence in the record supports the findings of the trial court. We agree that this short term marriage is a misadventure in matrimony.

Under the circumstances of this marriage it was not inequitable for the trial court to award Jean's house to her. She had purchased it before the marriage. Sections 598.21(1)(b) and (l) of the Iowa Code were properly considered by the trial court.

The trial court was correct in not requiring George to pay Jean alimony. The length of the marriage is one of the factors for the court to consider in determining support payments to either party. Iowa Code § 598.21(3)(a) (1985). When a couple is married a short time and have no children, alimony will not ordinarily be given. See Behrle v. Behrle, 228 N.W.2d 25, 27-28 (Iowa 1975).

We do not disturb the trial court's refusal to require George to pay Jean's attorney fees for trial or the taxing of court costs to her.

Attorney fees are not awarded on appeal. Costs of appeal are taxed to Jean.

AFFIRMED.