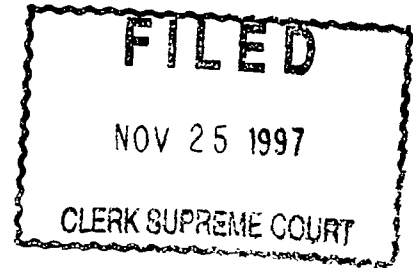


IN THE COURT OF APPEALS OF IOWA

000129

No. 7-603 / 96-2185



**IN RE THE MARRIAGE OF DOTTIE DEE FOSTER
AND PAUL SCOTT FOSTER**

Upon the Petition of
DOTTIE DEE FOSTER,
Appellee,

And Concerning
PAUL SCOTT FOSTER,
Appellant.

Appeal from the Iowa District Court for Mahaska County, Richard J. Vogel,
Judge.

Paul Foster appeals from a modification of the child support provision of the
parties' dissolution decree. **AFFIRMED.**

David D. Dixon of Heslinga, Heslinga & Dixon, Oskaloosa, for appellant.

Randy S. DeGeest, Oskaloosa, for appellant.

Considered by Cady, C.J., and Huitink and Mahan, JJ.

HUITINK, J.

This is an appeal by a husband claiming the district court's modification order did not sufficiently reduce his child support obligation. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

The district court issued a dissolution decree for Dottie and Paul Foster on December 15, 1995. The decree placed primary physical care of the children, Bret, born in 1978, and Michael, born in 1983, with Dottie. The court ordered Paul to pay \$860 per month in support for two children, and \$585 per month for Michael once Bret became eighteen years old. At that time Dottie's annual income was \$18,209 and Paul's was \$46,260.

In February 1996, Michael began to spend every other week with Paul. Bret became eighteen in March 1996, and Paul reduced his child support obligation to \$585 per month. On August 8, 1996, Paul filed an application for modification, seeking to reduce his child support obligation because Michael was living with him fifty percent of the time. At the time of the modification hearing Dottie's annual income had increased to \$32,760 and Paul's had increased to \$51,349.

The district court determined that under the present child support guidelines Paul's child support obligation would be \$586 per month. The court found this amount should be adjusted because Michael was living with Paul fifty percent of the time. The court noted that Dottie was still providing for most of Michael's clothing

and school expenses. The court reduced Paul's child support obligation to \$500 per month. Paul has appealed.

Paul contends his child support obligation should be further reduced. He states he is willing to pay one-half of the present child support obligation, plus an additional \$100 per month for Michael's clothing, which would make his child support obligation \$392 per month.

A custodial parent must incur most of the expenses of maintaining a home for the parent and the child, even when the child is absent. *State ex rel. Lara v. Lara*, 495 N.W.2d 719, 721 (Iowa 1993). The custodial parent must still maintain a home, clothes and necessities for the child while the child is visiting the noncustodial parent. *Id.* For this reason, child support need not be suspended during even extended periods of visitation. *Id.* In *Lara*, the child was spending more than fifty percent of the time with the noncustodial parent. *Id.*

We find the reasoning of *Lara* is applicable in this case. Dottie must still maintain a home, clothing, and necessities for Michael, even when he is living with Paul. We do not believe it would be equitable to further reduce Paul's child support obligation.

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

AFFIRMED.