

IN THE COURT OF APPEALS OF IOWA

FILED

MAY 28 1985

CLERK SUPREME COURT

IN RE MARRIAGE OF HELEN ANNE GARRELS AND GARY WILLIAM GARRELS

Upon the Petition of)

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HELEN ANNE GARRELS,)

Filed May 28, 1985

Petitioner-Appellant/Cross-Appellee,)

And Concerning)

GARY WILLIAM GARRELS,)

5-107
84-1144

Respondent-Appellee/Cross-Appellant.)

Appeal from the Iowa District Court for Plymouth County - Dewey J. Gaul,
Judge.

Petitioner appeals and respondent cross-appeals the parties' dissolution
decree. AFFIRMED.

Frank Cosgrove of Yaneff & Cosgrove, Sioux City, Iowa, for appellant.

Thomas A. Vakuiska, Sioux City, Iowa, for appellee.

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

SCHLEGEL, J.

Petitioner, Helen Garrels, appeals and respondent, Gary Garrels, cross-appeals the parties' dissolution decree. *We affirm.*

Our review in this equity action is de novo. Iowa R. App. P. 4. In equity cases, especially when considering the credibility of witnesses, we give weight to the fact findings of the trial court, but we are not bound by them. Iowa R. App. P. 14(f)(7).

Helen, on appeal, requests that we increase the amounts of child support and alimony that Gary must pay, or in the alternative, remand the case for a new trial. She argues that Gary has intentionally tried to deceive the court regarding his financial situation and earning ability. She presented the same arguments to the trial court, and the trial court's decree noted that Gary had not been completely honest during the proceedings. It therefore appears that Helen's argument was taken into account by the trial court when it issued the dissolution decree. We find nothing in Helen's brief or in the record that shows the court erred in setting Gary's alimony and child support payments. *We affirm* the trial court with respect to those payments.

Gary, in his cross-appeal, argues that the property division in the dissolution decree was inequitable. He contends that the trial court erred in making him liable for most of the parties' debts and in not giving him sufficient credit for assets that he brought into the marriage. We have reviewed the whole record and have considered the relevant factors listed in Iowa Code section 598.21(1) (1983). We do not find the property division to be inequitable.

AFFIRMED.