FILED
AUG 27 1986
CLERK SUPREME COURT

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF LORI KAY WEATHERMAN AND DARROLD LEE WEATHERMAN

LORI KAY WEATHERMAN)	Filed August 27, 1986	496
Petitioner-Appellee)	6-135 85-1688	
DARROLD LEE WEATHERMAN,)		
Respondent-Appellant.)		

Appeal from the Iowa District Court for Greene County (No. 616) - Louie F. Beisser, Judge.

Respondent Darrold Weatherman appeals the custody provisions of the trial court's dissolution decree. **AFFIRMED.**

Lawrence E. Jahn, of Smith, Nutty, Sharp, Benson & Jahn, Ames, Iowa for appellant.

Joseph R. Cahill, Nevada, Iowa, for appellee.

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

SCHLEGEL, J. 497

Respondent Darrold Weatherman appeals the custody provisions of the trial court's dissolution decree. We affirm.

Respondent Darrold and petitioner Lori Weatherman dissolved their relatively short marriage on October 21, 1985. Petitioner was awarded sole custody of their only child. The only issue raised on this appeal is whether the trial court was correct in awarding sole custody to the mother.

Our review of this equitable proceeding is de novo. Iowa R. App. P. 4. Our responsibility is to review the facts as well as the law and to determine rights anew from the credible evidence on properly presented and preserved issues. In re Marriage of Castle, 312 N.W. 2d 147, 148 (Iowa App. 1981). While we give weight to the findings of the trial court especially where the credibility of the witnesses is involved, we are not bound by them. Id.; Iowa App. P. 14 (f) (7).

At the time of trial petitioner was 25 years old and in good health. She did not graduate from high school but has her GED. She has been employed infrequently and was not working when the judgment was entered. She stated that she plans to go to cosmetology school.

Respondent is 29, has a high school education and has had different jobs, mostly in construction. He also was not working steadily during this action. Shortly before this action began at the trial court level, respondent suffered a heart attack and has been disabled since. He hopes to obtain computer training in the future. He resides with his mother in a mobile home. The record shows that respondent has apparently applied for social security disability and may be filing for bankruptcy.

Respondent's primary contention in this appeal is that there is no evidence

in the record that the trial court considered the proper statutory factors in determining which party should receive sole custody of the child. We disagree.

The trial court carefully considered the factors outlined in Iowa Code section 598.41(3) in its findings of fact and concluded that, since neither party desires joint custody, it is in the best interest of the child that petitioner be awarded sole custody. It is also apparent from the trial court's conclusions of law that it considered the appropriate legal standards. See In re Marriage of Winter, 223 N.W.2d 165 (Iowa 1974); See also In Re Marriage of Bowen, 219 N.W.2d 683, 688 (Iowa 1974). The trial court also considered home studies done on each parent. The trial court concluded by saying:

> "The Court considers everything that pertains to the interest of the child in deciding custody, the property of the parents, the expectations of the parents, the educational, social and moral advantages available to the child, the age and sex of the child and the environment in which the child will live, together with the care and love which is expected to be given.
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> It is not a question of what is best for Petitioner or for Respondent, but what is best for the child. This child's welfare is the paramount and controlling factor as repeatedly stated by the Iowa Supreme Court. The wishes and desires of the parents are subordinate. However, just because custody is awarded to one parent, that child does not become an object of reward for one parent."

Based upon the record before us we conclude the trial court correctly considered all of the factual and legal factors required to decide which party shall have sole custody of the child. We agree with the trial court's decision and affirm the decree. **AFFIRMED.**