

FILED

AUG 26 1980

U.S. SUPREME COURT

346

IN THE COURT OF APPEALS OF IOWA

IN RE THE MARRIAGE OF GINGER KAY CROW AND STEVEN KEITH CROW

Upon the Petition of	)	
GINGER KAY CROW,	)	August 26, 1980
Petitioner-Appellee,	)	
And Concerning	)	0-232
STEVEN KEITH CROW	)	<u>2-63720</u>
Respondent-Appellant.	)	

Appeal from Warren District Court - Thomas S. Bown, Judge.

Husband appeals the award of alimony, interest thereon and attorney fees in a decree of dissolution. - Modified and Affirmed.

Stephen A. Hall, of Hall, Ewalt & Hall, Indianola, for respondent-appellant.

Leonard M. Flander, of Flander & Casper, Winterset, for petitioner-appellee.

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

This appeal follows from the provisions of a dissolution of marriage decree. Appellant-husband complains about the award of alimony, interest on alimony and attorney fees. We modify and affirm.

Ginger Kay Crow, age nineteen at marriage and Steven Keith Crow, then age twenty, were married in 1977. The union endured for nine months when Ginger departed. No children were born of the marriage.

Ginger is a high school graduate and received a diploma in practical nursing from Southwestern Community College. During the marriage she worked for the Department of Transportation, Manpower and the Polk County Health Department. Before marriage she was employed by a medical clinic and by Target stores.

Steven graduated from high school and attended Southwestern Community College studying farm mechanics. He is self-employed farming land he rents. His farming efforts for the year 1977 resulted in a loss of \$5,522.

The trial court awarded alimony of \$850 payable within one year with interest at 10%. Steven was ordered to pay \$650 toward Ginger's attorney fees.

We apply the criteria enunciated in Schantz v. Schantz, 163 N.W.2d 398 (Iowa 1968). Although the alimony award is modest, the need by Ginger is not present. Nor do any sacrifices of significance appear during her nine month tenure. The decree is modified striking the alimony provision; the award of attorney fees is affirmed.

Costs of this appeal are taxed to appellant.

MODIFIED AND AFFIRMED.