IN THE COURT OF APPEALS OF IOWA

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STATE OF IOWA, ex rel. CARMA WALTER, Mother and Next Friend of HEATH A. WALTER,	)	
Petitioner-Appellee,	)	Filed June 25, 1985
vs.	)	
GARY ECKHOLM,	)	5-183 84-1384
Respondent-Appellant.	)	

Appeal from the Iowa District Court for Iowa County - Thomas M. Horan, Judge.

Respondent appeals the district court judgment establishing his paternity and ordering payment of child support. AFFIRMED.

John S. Pieters of Pieters & Pieters, Waterloo, Iowa, for respondent-appellant.

Kenneth R. Martens, Iowa County Attorney, and Joe H. Harris, Assistant County Attorney, for petitioner-appellee.

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

SCHLEGEL, J.

Respondent, Gary Eckholm, appeals the district court judgment establishing his paternity and ordering payment of child support. We affirm.

In this action to establish paternity under Iowa Code chapter 252A (1981), petitioner had the burden of proving Eckholm was the father of the child by a preponderance of the evidence. Moody v. Christiansen, 306 N.W.2d 775, 777 (Iowa 1981). Our review is de novo. Id.

Eckholm argues that the evidence was insufficient to support a finding of paternity. We disagree. He admitted having intercourse with the mother at a time near the time of conception. A blood test established a 99.4% likelihood that Eckholm was the father. The mother also testified that she only had intercourse with Eckholm near the time of conception. Even though the probability of paternity established by the blood test is less than that established in many other cases, the evidence presented in this case is manifestly sufficient to support a finding of paternity.

Two witnesses testified they had intercourse with the mother on the same night that Eckholm admitted having intercourse with her. The testimony of those witnesses was rather uncertain. Moreover, no evidence of blood tests was introduced to show that one of the witnesses, and not Eckholm, is the father of the child.

AFFIRMED.