IN THE COURT OF APPEALS OF IOWA

FILED
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CLERK SUPREME COURT

DIANA CLARK,

Petitioner-Appellant,

vs.

THOMAS CAMERON,

Respondent-Appellee.

Filed November 30, 1987

7-439
87-332

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Appeal from the Iowa District Court for Scott County (No. 20-4412) - Max R. Werling, Judge.

Petitioner appeals from the district court's modification of child support.

AFFIRMED.

James L. Ottesen, of Ottesen, Hoffman and Priester, Davenport, for petitioner-appellant.

No appearance by respondent-appellee.

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

SACKETT, J. 86

Petitioner-Appellant Diana Clark and Respondent-Appellee Thomas Cameron, who have never been married to each other, are the parents of a minor child born October 10, 1982. The child is in petitioner's custody. On January 6, 1984, a stipulation for support was filed and an order was entered providing respondent should pay support of $25 per week until November 2, 1984, when the support would increase to $35 per week. Neither the stipulation nor order indicated whether they were filed under Iowa Code chapter 675 or chapter 252A. We treat this as a chapter 252A proceeding. An action under chapter 252A is in equity. Iowa Code §252A.6(1). Our review is de novo. Moody v. Christiansen, 306 N.W.2d 775, 777 (Iowa 1981).

In June 1986 petitioner filed an application to modify the order and increase the support. The trial court entered an order increasing the support $5.00 a week. Petitioner appeals contending the increase to $40 per week is insufficient.

Respondent has been employed by Kentucky Fried Chicken for the past ten years. In 1984 he had a salary of $14,376.73 and was single. In 1985 respondent had a salary of $15,578.53 and was married and had an additional child.

Petitioner is now employed but was not employed when the original order was signed. Petitioner has the burden to prove by a preponderance there has been a change in circumstance beyond the contemplation of the parties when the decree was entered. In re Marriage of Habben, 260 N.W.2d 401, 404 (Iowa 1977). We do not find this burden was met.

Respondent has not filed an appellee's brief. We have therefore limited our consideration of issues to those raised in petitioner's brief and refrain from reducing the amount of child support respondent is ordered to pay.

We affirm the trial court.

AFFIRMED.