IN THE COURT OF APPEALS OF IOWA

FILED
SEP 2 8 1988
CLERK SUPREME COURT

IN RE THE MARRIAGE OF MARY JEAN CORNELL AND STEVEN HAJOS CORNELL

Upon the Petition of)
MARY JEAN CORNELL,)
Petitioner-Appellant,)
And Concerning)
STEVEN HAJOS CORNELL,)
Respondent-Appellee.)

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Appeal from the Iowa District Court for Johnson County (EQ 5856), August F. Honsell, Judge.

Petitioner appeals from the denial of her application for modification of decree of dissolution. **AFFIRMED.**

Philip A. Leff of Leff, Leff, Leff, Haupert & Traw, Iowa City, for appellant.

Daniel L. Bray, Iowa City, for appellee.

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

PER CURIAM 96

The parties' marriage was dissolved in December 1984. The decree incorporated the parties' stipulation as to alimony and child support.

Mary filed an application for modification of the decree in April 1987. She asked that the alimony be increased. The trial court correctly identified Mary's four basic claims for a change of circumstances. These are: 1) a change in Steven's income and resources; 2) Steven's inheritance; 3) changes in Mary's physical and emotional health; and 4) changes in a daughter's (age 16) physical and emotional needs.

The trial court found and held Steven's increase in income was not beyond the contemplation of the court at the time of the parties' dissolution. His employment had remained basically unchanged. The court found Steven had received a substantial inheritance after the dissolution and, in a well-reasoned analysis, determined this inheritance does not by itself make it equitable that the modification be granted. The judge presiding over the modification trial found Mary and Catherine both appeared to enjoy excellent health and neither of them was under a doctor's care. Finally, the trial court determined the tax reform act would benefit both parties.

Our review is de novo. Iowa R. App. P. 4. Upon our review of the entire record in this case, we agree with the

trial court and affirm its rulings in every respect, including the denial of Mary's attorney fees at trial.

For a change of circumstances to be sufficient to warrant a modification, the change must be continuous and not temporary. Spaulding v. Spaulding, 204 N.W.2d 634, 635 (Iowa 1973); In re Marriage of Glass, 213 N.W.2d 668 (Iowa 1973).

Each party shall pay his or her own attorney fees on appeal.

Costs of appeal are assessed against Mary.

AFFIRMED.