

IN THE COURT OF APPEALS OF IOWA

No. 7-171 / 96-1322

**IN RE THE MARRIAGE OF IRENE QUINN/KULOW
AND MERLYN KULOW**

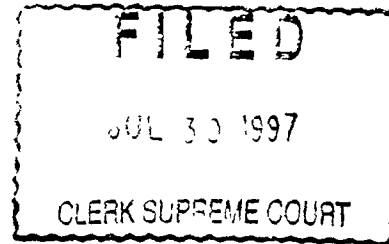
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Upon the Petition of
IRENE QUINN/KULOW,

Petitioner-Appellee,

And Concerning
MERLYN KULOW,

Respondent-Appellant.



Appeal from the Iowa District Court for Mitchell County, Stephen P. Carroll,
Judge.

Appellant appeals from the entry of a dissolution decree contending the
property division was not equitable. **AFFIRMED.**

David M. Nelsen of Nelsen Law Office, Mason City, for appellant.

Donald E. Esser of Finley, Teas and Esser, Mason City, for appellee.

Considered by Habhab, C.J., and Sackett, and Cady, JJ.

PER CURIAM

Merlyn Kulow appeals from the decree dissolving his marriage to Irene Quinn. He contends the property award was not equitable. He specifically challenges the trial court's decision to award Irene a business he owned at the time of marriage known as Redman Inn. We affirm on appeal by memorandum opinion pursuant to Iowa Supreme Court Rule 9.

We review de novo. *In re Marriage of Shivers*, 557 N.W.2d 532, 534 (Iowa App. 1996) (citing Iowa R. App. P. 4). We examine the entire record and adjudicate anew the equity between the parties. *Id.* We look primarily to the particular circumstances of this case. *In re Marriage of Kunkel*, 555 N.W.2d 250, 253 (Iowa App. 1996). The question is whether the economic provisions of the decree are equitable. We find they are and affirm the trial court.

Irene requests appellate attorney fees. We have discretion to award reasonable and fair attorney fees based on the abilities of the parties to pay. *In re Marriage of Guyer*, 522 N.W.2d 818, 822 (Iowa 1994). We also consider the needs of the party requesting fees and whether that party was obligated to defend the district court's decision on appeal. *In re Marriage of Krone*, 530 N.W.2d 468, 472 (Iowa App. 1995). We order Merlyn to pay \$500 toward Irene's appellate attorney fees.

AFFIRMED.