# OPINION SUMMARY

## MISSOURI COURT OF APPEALS EASTERN DISTRICT

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| DOROTHY J. BREUER, Respondent, | ) | No. ED100898 |
| | ) | Appeal from the Circuit Court of |
| vs. | ) | Franklin County |
| | ) | Honorable David L. Hoven |
| THOMAS M. BREUER, Appellant. | ) | Filed: September 30, 2014 |

Thomas Breuer (Father) appeals the judgment and decree of modification of dissolution of marriage entered by the Circuit Court of Franklin County. Father claims that the trial court erred in: (1) extending his child support obligation; (2) failing to make sufficient findings to order his support obligation to continue past the presumed date of emancipation; (3) modifying the judgment without finding a significant and continuing change in circumstances; and (4) ordering him to pay delinquent child support since his last support payment.

AFFIRMED IN PART AND REVERSED AND REMANDED IN PART.

Division Four Holds: The trial court did not err in: (1) extending Father's child support obligation because the record contained sufficient evidence that Dorothy Breuer (Mother) and Father's child was incapacitated from supporting herself, insolvent, and unmarried; (2) failing to make specific findings to order Father's support obligation to continue past the presumed date of emancipation because neither party requested findings of fact; or (3) modifying the judgment because application of the child support guidelines required an increase in child support by more than twenty percent. The trial court erred in ordering Father to make support payments for the time period before Mother filed her motion to modify and Father was served. We remand to the trial court to determine whether Father should pay the original child support amount from the date of service to December 1, 2013.

Opinion by: Patricia L. Cohen, P.J.
Roy L. Richter, J., and Robert M. Clayton III., J., concur.

Attorney for Appellant: Taylor Goodale
Attorney for Respondent: Jonathan L. Downard

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