

MISSOURI COURT OF APPEALS EASTERN DISTRICT  
OPINION SUMMARY

RICHARD SHEERIN,	)	No. ED101583
	)	
Appellant,	)	
	)	Appeal from the Circuit Court
vs.	)	of St. Louis County
	)	
	)	
TOINET SHEERIN,	)	Honorable Mary Elizabeth Ott
	)	
Respondent.	)	FILED: April 21, 2015

Richard Sheerin appeals from the trial court's judgment awarding \$1,000 in monthly maintenance to his former spouse, Toinet Sheerin. Richard asserts that the trial court abused its discretion in that the award exceeds his ability to pay.

REVERSED AND REMANDED.

DIVISION ONE HOLDS: When determining the amount of maintenance, a trial court must balance the reasonable needs of the spouse seeking maintenance against the ability of the other spouse to pay. Here, the trial court acknowledged that its award left Richard at a monthly deficit of over \$500. Additionally, a trial court should consider the obligation of a receiving spouse to contribute to her own support. Here, the court specifically found Toinet capable of minimum wage work but assumed in its calculations that she would remain unemployed indefinitely.

Opinion by: Clifford H. Ahrens, Judge  
Amburg, J., concur.

Lawrence E. Mooney, P.J., and Lisa Van

Attorney for Appellant: Jillian Alejandra Wood

Attorney for Respondent: Martha M. Moran

**THIS SUMMARY IS NOT PART OF THE OPINION OF THE COURT. IT HAS BEEN PREPARED FOR THE CONVENIENCE OF THE READER AND SHOULD NOT BE QUOTED OR CITED.**