

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

J.D.,)	No. ED102196
)	
Respondent,)	Appeal from the Circuit Court of
)	Cape Girardeau County
)	
vs.)	
)	
L.D,)	Hon. Scott E. Thomsen
)	
Appellant.)	FILED: December 15, 2015

L.D. (Father) appeals from the trial court’s dissolution judgment as to child custody and property division in favor of his former spouse, J.D. (Mother). Father asserts that the trial court erred by: (1) failing to make specific findings of fact supporting its custody award as required by §452.375.6; (2) determining custody without the recommendation of the guardian *ad litem*; and (3) awarding Mother \$108,500 as her interest in the marital residence.

AFFIRMED.

DIVISION ONE HOLDS: (1) Father failed to preserve his first point by filing a motion to amend the judgment. Upon plain error review, the court finds no manifest injustice or miscarriage of justice warranting reversal. (2) The trial court did not err or abuse its discretion in determining custody without the GAL’s recommendation. The GAL is not required to make a recommendation, and the trial court is not required to follow it. (3) The trial court did not err or abuse its discretion in awarding nearly half of the marital residence to Mother. A trial court is not required to divide marital property equally; the division must only be fair and equitable.

Opinion by: Lisa Van Amburg, Chief Judge
Patricia L. Cohen, Judge, and Philip M. Hess, Judge, concur.

Attorney for Appellant: Mary Griffith

Attorney for Respondent: Jeffrey Dix

**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.**