



In the Missouri Court of Appeals
Eastern District

DIVISION FOUR

MICHAEL SCHUH,)	No. ED90549
)	
Petitioner/Appellant,)	Appeal from the Circuit Court
)	of Jefferson County
vs.)	23CV305-3865-DRJ6
)	
KRISTEN SCHUH,)	Honorable Troy Anthony Cardona
)	
Respondent/Respondent.)	Filed: November 4, 2008

OPINION SUMMARY

Michael Schuh (Husband) appeals from the trial court's Judgment and Decree of Dissolution Nunc Pro Tunc (Judgment) entered in favor of Kristen Schuh (Wife) on Husband's Petition for Dissolution of Marriage.

AFFIRMED as MODIFIED.

Division Four Holds: Although our review of the points on appeal is limited given the record before us, it is clear that the trial court intended for the award of "lump sum maintenance" to be a division of property and an award of attorney's fees in favor of Wife. Accordingly, we find no abuse of discretion in the amount of the trial court's award of "lump sum maintenance" but find that the trial court should have characterized the award as a property division and an award of attorney's fees. Pursuant to Rule 84.14¹, this Court is authorized to enter the judgment the trial court should have entered; thus, we affirm the Judgment except to delete the term "lump sum maintenance" and to delineate that \$17,500 is a marital property award and that \$6,142.50 is an attorney's fees award in favor of Wife.

Opinion by Mary K. Hoff, Judge
Booker T. Shaw, Presiding Judge and Kathianne Knaup Crane, Judge, concur

¹ All rules references are to Missouri Supreme Court Rules 2008, unless otherwise indicated.