

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JOHN D. COSBY, JR., Appellant,)	ED91561
)	
vs.)	Appeal from the Washington
)	County Circuit Court
BARBARA N. COSBY, Respondent.)	Filed: June 23, 2009

The husband, John Cosby, Jr., appeals the judgment entered by the Circuit Court of Washington County dividing the parties' property and awarding attorney's fees to the wife, Barbara Cosby, following the parties' dissolution of marriage.

AFFIRMED AS MODIFIED

DIVISION TWO HOLDS: Because no evidence supports such a determination, we hold that the marital estate should not include any amount representing an increase in value of the husband's mobile home. Further, we hold that the Ford truck was not a gift to the wife, but rather is marital property worth between \$3,000 and \$4,000. Therefore, we modify the marital-equalization payment that husband is to pay wife from \$22,767.39 to \$15,017.39.

Opinion by: Lawrence E. Mooney, J. Roy L. Richter, P.J. and George W. Draper III, concur.

Attorney for Appellant: Gary E. Brotherton

Attorney for Respondent: Kimberly D. Tyler

**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.**