

MISSOURI COURT OF APPEALS EASTERN DISTRICT
OPINION SUMMARY

WENDY KAY WUELLING,)	No. ED 95218
and, I.E.B., a minor, by his next)	
friend, WENDY KAY WUELLING,)	Appeal from the Circuit Court of
)	St. Louis County
Respondent,)	
)	
vs.)	
)	
TIMOTHY BROWN,)	Hon. David Lee Vincent, III
)	
Appellant.)	FILED: April 26, 2011

Timothy Brown (Father) appeals the Amended Family Court Order, Judgment and Decree of Paternity entered after trial. Father contends that the trial court erred by imputing a gross monthly income of \$5,670 in calculating his child support obligation using Form 14.

REVERSED AND REMANDED.

DIVISION THREE HOLDS:

1. To the extent that the trial court relied on the Atlanta, Georgia job offer in its assessment of best efforts and salary expectation, the trial court erred.
2. The trial court's imputation of income to Father is not supported by the evidence regarding Father's local job search or available job opportunities in the community.

Opinion by: Clifford H. Ahrens, J. Sherri B. Sullivan, P.J., and Lawrence E. Mooney, J., concur.

Attorney for Appellant: Newton G. McCoy

Attorney for Respondent: Cynthia Howlett

**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.**