

**IN THE MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

COMPLETE TITLE OF CASE

FRANCES M. REITER,

Appellant,

v.

LARRY G. REITER,

Respondent.

DOCKET NUMBER WD74350

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

DATE: August 7, 2012

APPEAL FROM

The Circuit Court of Platte County, Missouri
The Honorable Thomas C. Fincham, Judge

APPELLATE JUDGES

Division Three: Victor C. Howard, Presiding Judge, and Karen King
Mitchell and Cynthia L. Martin, Judges

ATTORNEYS

Brad Grill
Kansas City, MO

Attorney for Appellant,

Jacob A. Pruettt and Scott L. Campbell
Platte City, MO

Attorneys for Respondent.



MISSOURI APPELLATE COURT OPINION SUMMARY
MISSOURI COURT OF APPEALS, WESTERN DISTRICT

FRANCES M. REITER,

Appellant,

v.

LARRY G. REITER,

Respondent.

)
)
)
) **OPINION FILED:**
) **August 7, 2012**
)
)
)

WD74350

Platte County

Before Division Three Judges: Victor C. Howard, Presiding Judge, and Karen King Mitchell and Cynthia L. Martin, Judges

Appellant, Frances Reiter, appeals the trial court's order modifying her original decree of dissolution of marriage to terminate previously ordered maintenance payments of \$2,000 per month from her former spouse, Larry Reiter. She also appeals the trial court's order denying her request for attorney's fees.

AFFIRMED.

Division Three holds:

- (1) That substantial evidence supported the trial court's order terminating Husband's maintenance insofar as the evidence demonstrated that Wife had a substantial and continuing change of circumstances in that Wife: (a) increased her monthly income from \$0.00 to approximately \$3,300; (b) obtained a bachelor's degree; (c) acquired full-time employment; (d) possessed substantial unencumbered assets; and (e) achieved the ability to support herself. These changes were not sufficiently certain to render them foreseeable at the time of the dissolution.

(2) That the trial court did not abuse its discretion in refusing to award Wife attorney's fees. In light of the evidence that Wife could fully support herself, the income disparity between Husband and Wife, alone, did not require the trial court to award Wife attorney's fees.

Opinion by: Karen King Mitchell, Judge

August 7, 2012

* * * * *

THIS SUMMARY IS **UNOFFICIAL** AND SHOULD NOT BE QUOTED OR CITED.