

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

**JACK RUHL, BY HIS NEXT FRIEND
AND NATURAL MOTHER
STEPHANIE AXE AND STEPHANIE
AXE, INDIVIDUALLY**

**v.
PETER RUHL**

RESPONDENTS,

APPELLANT.

DOCKET NUMBER WD75358

DATE: June 18, 2013

Appeal From:

Jackson County Circuit Court
The Honorable Christine T. Sill-Rogers, Judge

Appellate Judges:

Division One: Gary D. Witt, Presiding Judge, Thomas H. Newton, Judge and Mark D. Pfeiffer,
Judge

Attorneys:

Kay Madden, Kansas City, MO, for respondents.

Stephen C. Mayer, Kansas City, MO, for appellant.

MISSOURI APPELLATE COURT OPINION SUMMARY

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WESTERN DISTRICT

JACK RUHL, BY HIS NEXT FRIEND
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STEPHANIE AXE AND STEPHANIE
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v.
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APPELLANT.

No. WD75358

Jackson County

Before Division One: Gary D. Witt, Presiding Judge, Thomas H. Newton, Judge and Mark D. Pfeiffer, Judge

Peter Ruhl ("Father") appeals the circuit court's judgment in a paternity action. He argues that the trial court erred in: (1) awarding Stephanie Axe ("Mother") \$22,320 for J.R.'s necessary expenses, accrued since the date Mother and Father stopped living together after J.R.'s birth, and (2) in entering a judgment for monthly child support of \$372 without a finding of his unemployment or underemployment.

AFFIRMED

Division One Holds:

(1) Father did not make a post-trial motion requesting an amendment to the judgment or otherwise ask the trial court to make specific factual findings as to the nature of the retroactive award of two months of child support, the \$22,320 of necessary expenses, or a finding as to unemployment or underemployment. Rule 78.07(c) states that "[i]n all cases, allegations of error relating to the form or language of the judgment, *including the failure to make statutorily required findings*, must be raised in a motion to amend the judgment in order to be preserved for appellate review." Father thus did not preserve his claimed error.

(2) *Ex gratia*, we note that the total amount of the award of necessary expenses and the award of child support are supported by the record.

Opinion by Gary D. Witt, Judge

June 18, 2013

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