

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

DIVISION FOUR

JAMIE LEE KROPF,)	No. ED101529
)	
Respondent,)	Appeal from the Circuit Court
)	of Audrain County
vs.)	09AU-DR00049-01
)	
MATHEW ADAM JONES,)	Honorable Michael S. Wright
)	
Appellant.)	Filed: May 5, 2015

Mathew Adams Jones (“Father”) appeals the trial court’s judgment denying his motion to modify his child support obligation, finding Jamie Lee Kropf (“Mother”) had not relocated with the parties’ minor child, and ordering Father to pay a portion of Mother’s attorney’s fees.

AFFIRMED.

Division Four holds:

- (1) Under the circumstances of this case, it was within the trial court’s discretion to include Father’s rig pay¹ and per diem pay² in calculating his Form 14³ gross income and the trial court did not err in finding Father had not established a change in circumstances sufficient to support modification of his child support obligation.
- (2) The trial court did not err in finding Mother had not relocated with Child pursuant to our standard of review.
- (3) The trial court did not abuse its discretion in ordering Father to pay Mother \$3,500 in attorney’s fees because Father had a considerably higher income than Mother.

Opinion by: Robert M. Clayton III, J.
Patricia L. Cohen, P.J. and Roy L. Richter, J., concur.

¹ Father testified he received rig pay at a rate of \$17 per hour for each hour he worked for reimbursement of anticipated expenses for work clothing, owning and operating a work truck and tools, and mileage.

² Father testified he received per diem pay at a rate ranging from \$102.50 to \$165 per day for reimbursement of anticipated expenses for out-of-town lodging and food.

³ This reference to Form 14 is to the form as set forth in Missouri Supreme Court Rules of Civil Procedure (2014).

Attorney for Appellant: Ronald S. Ribaud, Christina N. Strange McCartney

Attorneys for Respondent: Robert V. Krueger, Jr.

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