

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

IN RE THE MARRIAGE OF:)	No. ED91383
)	
NATHAN D. LOWERY,)	
)	
Appellant,)	Appeal from the Circuit Court
)	of St. Louis County
vs.)	
)	Hon. Mary Bruntrager Schroeder
SHAYLA R. LOWERY,)	
)	
Respondent.)	FILED: May 12, 2009

Nathan Lowery ("Father") appeals the trial court's judgment allowing Shayla Lowery ("Mother") to relocate to Florida with the divorced couple's minor child ("Ivy").

AFFIRMED IN PART; REVERSED IN PART

Division Two Holds: The portion of judgment permitting Mother to relocate to Florida with Ivy is reversed. The trial court's finding that Mother's relocating to Florida with Ivy was in Ivy's best interests was not supported by substantial evidence. The judgment of the trial court is affirmed in all other respects.

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

Attorneys for Appellant: Elaine A. Pudlowski

Attorneys for Respondent: Myia M. McKenna

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.