

OPINION SUMMARY

MISSOURI COURT OF APPEALS EASTERN DISTRICT

JAMES P. DELSING,) ED99338
)
 Appellant,) Appeal from the Circuit Court
) of St. Louis County
 v.) 2106FC-09326-02
)
 KATHLEEN M. DELSING,) Honorable Thomas J. Frawley
)
 Respondent.) Filed: September 24, 2013

James P. Delsing (Husband) appeals from the trial court’s Judgment denying his motion to modify his maintenance obligation owed to Kathleen M. Delsing (Wife). Husband argues there was a substantial and continuing change in his income and circumstances between the last modification and this motion, making him unable to pay the ordered amount of maintenance.

REVERSED AND REMANDED.

Division Four Holds: The trial court erred in denying Husband’s motion to modify, because there was a substantial and continuing change in his circumstances making the terms of the current maintenance award unreasonable and warranting modification thereof. See Section 452.370.1, RSMo. (2000).

Opinion by: Gary M. Gaertner, Jr., J.
Lisa Van Amburg, P.J., and Patricia L. Cohen, J., concur.

Attorney for Appellant: Robert F. Summers and Jill R. Rembusch
Attorneys for Respondent: Byron Cohen

**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.**