

**MISSOURI COURT OF APPEALS
WESTERN DISTRICT**

MO.APP.

COMPLETE TITLE OF CASE:

**ALEXANDRA ILEANA VOINESCU,
APPELLANT-RESPONDENT,**

v.

**MICHAEL THEODORE KINKADE,
RESPONDENT-APPELLANT.**

DOCKET NUMBER WD68741Consolidated with WD68742

DATE: NOVEMBER 25, 2008

Appeal From:
BOONE COUNTY CIRCUIT COURT
THE HONORABLE LESLIE MAYBERRY SCHNEIDER, JUDGE

Attorneys:
D. ADAM LEATHERWOOD, ESQ., KANSAS CITY, MO and
REGINA K. BASS, ESQ., KANSAS CITY, MO, **for appellant/respondent.**

HELEN L. WADE, ESQ., COLUMBIA, MO, **for respondent/appellant.**

MISSOURI APPELLATE COURT OPINION SUMMARY

COURT OF APPEALS -- WESTERN DISTRICT

ALEXANDRA ILEANA VOINESCU,

APPELLANT-RESPONDENT,

v.

MICHAEL THEODORE KINKADE,

RESPONDENT-APPELLANT.

WD68741 Consolidated with WD68742

Boone County

Before: Division Three Judges: ELLIS, P.J., HARDWICK and DANDURAND, JJ

In this marital dissolution, Alexandra Voinescu (Mother) and Michael Kinkade (Father) both appeal from the child custody and child support awards. Father also appeals from the award of maintenance to Mother.

AFFIRMED IN PART, REVERSED AND REMANDED IN PART.

Division Three holds:

(1) On Mother's appeal, there was sufficient evidence and proper findings to support the circuit court's designation of Father's residence as the child's mailing address, as part of the joint custody determination. With regard to the child support award, Mother acquiesced in the exclusion of Father's part-time income on her own Form 14 and, therefore, waived any challenge to such exclusion on appeal.

(2) On Father's appeal, the circuit court erred in awarding maintenance because it failed to properly consider whether Mother had sufficient property to meet her reasonable needs and whether Mother could support herself through

appropriate employment. The court also erred by failing to impute appropriate income to Mother in calculating the child support award.

The judgment is reversed with regard to child support and maintenance, and remanded for further proceedings. In all other respects, the judgment is affirmed.

Opinion by: Lisa White Hardwick, Judge

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