

IN THE COURT OF APPEALS OF IOWA

No. 0-267 / 08-0080
Filed May 26, 2010

MARQUETTE WALTERMAN,
Respondent-Appellant,

vs.

STATE OF IOWA, ex rel.,
CHAD WALTERMAN and CRYSTAL WALTERMAN,
Petitioners-Appellees.

Appeal from the Iowa District Court for Jefferson County, Michael R. Mullins, Judge.

Marquette Walterman appeals from the district court's denial of his motion to quash the income withholding order. **APPEAL DISMISSED.**

Marquette Walterman, Pekin, Illinois, pro se appellant.

Thomas J. Miller, Attorney General and Tamara Lorenz, Assistant Attorney General, for appellees.

Considered by Vogel, P.J., and Potterfield and Danilson, JJ. Tabor, J. takes no part.

VOGEL, P.J.

Marquette Waltermann appeals from the district court order of November 13, 2007, denying his motion to reconsider (considered as a motion to quash) child support order entered April 20, 2006.

On October 24, 2007, Waltermann filed a “Motion for Reconsideration to Hold in Abeyance Child Support Because of Extreme Hardship and Below Poverty Level.” He asked that his child support obligation await payment until he would be “released from federal custody and is able to proceed with said child support” and “until his income rises above the poverty level of \$18,620 per year.”

The State of Iowa responded, re-characterizing Waltermann’s motion as a motion to quash. It resisted the motion and the district court subsequently denied Waltermann’s motion. The issues raised before the district court are not pursued in this appeal, and therefore Waltermann has waived them. Iowa R. App. P. § 6.903(2)(g)(3); *In Interest of W.R.C.*, 489 N.W.2d 40, 41 (Iowa Ct. App. 1992) (stating failure to argue an issue may be deemed waiver of that issue).

In this appeal, Waltermann raises new issues, namely that he does not owe child support as his children are no longer minors, and that the court is without jurisdiction to order accrued child support to be paid while he is imprisoned. Neither of these issues was raised before the district court and consequently we have no court order addressing these issues and allowing for our review. See *Meier v. Seneca*, 641 N.W.2d 532, 537 (Iowa 2002) (noting an appellate court does not consider issues raised for the first time on appeal).

Because no issues presented to and decided by the district court were raised in this appeal, we dismiss Waltermán's appeal.

APPEAL DISMISSED.