

**IN THE COURT OF APPEALS OF IOWA**

No. 9-1057 / 09-0838  
Filed March 10, 2010

**IN RE THE MARRIAGE OF LAWRENCE  
W. RYAN AND DEBRA D. RYAN**

**Upon the Petition of  
LAWRENCE W. RYAN,**  
Petitioner-Appellant,

**And Concerning  
DEBRA D. RYAN,**  
Respondent-Appellee.

---

Appeal from the Iowa District Court for Mahaska County, James Q.  
Blomgren, Judge.

A husband appeals the spousal support portion of a dissolution decree.

**AFFIRMED.**

Kathryn E. Walker of Walker, Billingsley & Bair, Newton, for appellant.

Robert W. Conrad of Conrad Law, Knoxville, and Greg Life of Life Law  
Office, Oskaloosa, for appellee.

Considered by Sackett, C.J., and Vaitheswaran and Danilson, JJ.

**VAITHESWARAN, J.**

Larry and Debra Ryan married in 1984 and divorced twenty-five years later. The district court divided their property pursuant to a stipulation and ordered Larry to pay Debra \$400 per month in traditional alimony until she remarries or dies.

Larry appeals the spousal support provision of the decree. Although our review is de novo, we afford the district court considerable latitude in determining spousal support. *In re Marriage of Anliker*, 694 N.W.2d 535, 539 (Iowa 2005).

At the time of trial, Larry worked for a county and earned \$59,000 per year plus benefits. The district court granted him all the funds in his retirement account, which had an account balance of \$158,318.28 at the time of trial. Although \$63,369 of debt was also allocated to him, his own calculation of net equity in a proposal he submitted to the court indicated there was a \$16,000 differential in his favor.

For ten years prior to trial, Debra owned and operated a consignment shop which netted her approximately \$10,000 per year. She had no health insurance, which she estimated would cost her \$300 per month to purchase, and no retirement account. While Larry points out that she received all the proceeds from the sale of the parties' home, that sum was three times less than the value of Larry's retirement account. Finally, Debra's expenses, even with her simple lifestyle, exceeded her earnings, forcing her to borrow from family members to make ends meet.

Based on our de novo review of the record, we conclude the district court's spousal support award was equitable. As Debra is the prevailing party

and her financial condition is tenuous even after the award of spousal support, we grant her request for appellate attorney fees. Larry is ordered to pay \$1500 towards those fees. See *In re Marriage of Okland*, 699 N.W.2d 260, 270 (Iowa 2005) (noting the court considers “the needs of the party seeking the award, the ability of the other party to pay, and the relative merits of the appeal” (quoting *In re Marriage of Geil*, 509 N.W.2d 738, 743 (Iowa 1993))).

**AFFIRMED.**