

IN THE CIRCUIT COURT OF CLAY COUNTY, MISSOURI
AT LIBERTY

In re the Matter of:)
)
ERIN LINN (GIBSON) STOUT,)
)
Petitioners)
v.)
)
WALTER LEE GIBSON, JR.,)
)
Respondent.)

Case No.: 7CV105011088-02
Division: VIII

FILED
TIME: DEC 12 2011

JUDGMENT OF MODIFICATION Clay County Circuit Court

NOW ON this 16th day of November, 2011, came Petitioner, Erin Linn (Gibson) Stout, in person and by her attorney, Stephen G. Taylor, and came Respondent, Walter Lee Gibson, Jr., in person and by his attorney, Richard D. Dvorak. After having reviewed the pleadings and being fully advised in the premises the Court does find for an order as follows:

1. That Petitioner and Respondent were once married, said marriage having been legally dissolved by Decree entered in the Circuit Court of Clay County, Missouri, on the 14th day of February, 2006.

2. Pursuant to the aforesaid Judgment, Petitioner and Respondent were awarded joint legal custody of the minor children born to them, namely: LOGAN CORDELL GIBSON, born August 27, 1999 and RILEY JO GIBSON, born July 6, 2003 with Petitioner's residence being designated for mailing and educational purposes for the children with specific custody periods awarded to Respondent. Further pursuant to said Decree, Respondent was ordered to pay to Petitioner an amount equal to \$350.00 per month for the support of said minor children and pay the sum of \$240.00 per month for child care expenses.

3. That on or about the 26th day of March, 2009, this Court entered a Judgment of Modification and ordered Respondent to pay the sum of \$1,000.00 per month to Petitioner as and for child support for the minor children, 50% of the childcare costs, 100% of any uncovered medical, dental and vision expenses incurred on behalf of the minor children, including co-pays. Further, Respondent was granted substantial parenting time with the minor children upon his return to the United States.

4. The Court finds that pursuant to the standards set forth in Sec. 452.370 R.S.Mo, the Court has evaluated the evidence regarding Respondent's request for modification of child support and parenting time. The Court finds that a prima facie showing has not been made of a change of circumstances so substantial and continuing as to make the present terms unreasonable. Further, no credible evidence was introduced showing changes in circumstances so substantial and continuing as to make the current terms regarding child support and parenting time unreasonable. Therefore, Respondent's Motion to Modify Child Support and Parenting Time is denied.

5. The Court has evaluated the evidence regarding Petitioner's request for modification as to parenting time. The Court finds that a prima facie showing has not been made of a change of circumstances so substantial and continuing as to make the present parenting plan unreasonable. Therefore, Petitioner's Counter-Motion to Modify as to Parenting Time is denied.

6. The Court finds that Petitioner expended reasonable attorney's fees as and for these matters and therefore, the Court finds that the fees are customary and reasonable in the amount of \$3,614.00. Further, the Court finds that Petitioner, Erin Linn (Gibson) Stout and attorney, Stephen G. Taylor, shall have judgment, joint and severally, against Respondent in the

amount of \$3,614.00 for attorney's fees incurred in this matter. Respondent shall pay said sum within thirty (30) days from the date of this Judgment. Statutory interest shall accrue.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED: That Respondent's Motion to Modify Child Support and Petitioner's Counter-Motion to Modify as to parenting Time are hereby ^{denied} dismissed.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED: That Petitioner, Erin Linn (Gibson) Stout, and attorney, Stephen G. Taylor, shall have judgment, joint and severally, against Respondent in the amount of \$3,614.00 for attorney's fees incurred in this matter. Respondent shall pay said sum within thirty (30) days from the date of this Judgment. Statutory interest shall accrue.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED: That the prior Judgment Decree of Dissolution of Marriage and subsequent Order shall remain in full force and effect.

DATE: 12/12/11



HONORABLE JANET SUTTON

PETITIONER:
ERIN STOUT (GIBSON)
9760 North Lewis Avenue
Kansas City, MO 64157
SSN: 499-74-0119
Employer: Excelsior Springs School District

RESPONDENT:
WALTER GIBSON, JR.
8665 NE 112th Street
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SSN: 496-94-6585
Employer: MVM, Incorporated
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ATTORNEY FOR RESPONDENT

copy motion filed in 12/12/11