

COURT OF APPEALS OF VIRGINIA

Present: Judges Annunziata, McClanahan and Senior Judge Coleman

PAULA BRUCE MONTGOMERY

v. Record No. 0350-04-4

JEFFREY EUGENE KING AND
COMMONWEALTH OF VIRGINIA,
DEPARTMENT OF SOCIAL SERVICES,
DIVISION OF CHILD SUPPORT ENFORCEMENT

MEMORANDUM OPINION*
PER CURIAM
JULY 27, 2004

FROM THE CIRCUIT COURT OF PRINCE WILLIAM COUNTY
Richard B. Potter, Judge

(Ronald A. Robinson, on brief), for appellant.

No brief for appellees.

Paula Bruce Montgomery, wife, appeals a decision of the trial judge modifying the terms of the spousal support obligation of Jeffrey Eugene King, husband. On appeal, wife asserts the trial court erred by: (1) modifying the spousal support award where she received notice of a motion to modify only the child support award; and (2) decreasing the spousal support award where the parties had contractually agreed to the amount of the spousal support award. Finding the issues procedurally barred by Rule 5A:18, we affirm the trial court.

The January 12, 2004 order from which wife appeals was endorsed by wife and her attorney without objection. Wife filed a written statement of facts, which the trial judge did not sign (unsigned written statement of facts). Husband filed numerous objections to the unsigned written statement of facts, and the trial judge sustained husband's objections in an order entitled "ORDER SUSTAINING OBJECTIONS TO THE STATEMENTS [sic] OF FACTS AND CORRECTING

* Pursuant to Code § 17.1-413, this opinion is not designated for publication.

STATEMENT OF FACTS,” (corrected statement of facts), which the trial judge signed. The corrected statement of facts reveals that wife “did not object to the Court order of January 12, 2004 as to child/spousal support and signed the order without objection.” It also provides that wife did not “timely object during the trial.”

Rule 5A:18 requires that objections to a trial court’s ruling be “stated together with the grounds therefor.” “The Court of Appeals will not consider an argument on appeal which was not presented to the trial court.” Ohree v. Commonwealth, 26 Va. App. 299, 308, 494 S.E.2d 484, 488 (1998). Here, wife did not present to the trial court the issues she now appeals. Accordingly, Rule 5A:18 bars our consideration of those issues on appeal. Moreover, the record does not reflect any reason to invoke the good cause or ends of justice exceptions to Rule 5A:18.

Accordingly, the decision of the trial court is summarily affirmed. Rule 5A:27.

Affirmed.