

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Coleman and Willis

THEODORE R. FAIRCLOTH

v. Record No. 0581-99-2

CAROLYN H. FAIRCLOTH

MEMORANDUM OPINION\*

PER CURIAM

AUGUST 10, 1999

FROM THE CIRCUIT COURT OF HENRICO COUNTY  
George F. Tidey, Judge

(Brice E. Lambert; Lambert & Associates, on  
brief), for appellant.

(Amy C. Balfour; Beale, Balfour, Davidson &  
Etherington, P.C., on brief), for appellee.

Theodore R. Faircloth appeals the equitable distribution decree awarding certain marital property solely to his wife, Carolyn H. Faircloth. The husband contends that the trial judge erred by (1) refusing to hear testimony concerning the parties' nonmonetary contributions to the marriage and to the acquisition, care and maintenance of the marital property, see Code § 20-107.3, and (2) failing to make an equitable and fair distribution of the marital property based upon the evidence. Upon reviewing the record and briefs of the parties, we conclude that this appeal is without merit. Accordingly, we summarily affirm the decision of the trial court. See Rule 5A:27.

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\* Pursuant to Code § 17.1-413, recodifying Code § 17-116.010, this opinion is not designated for publication.

The record contains no indication that the husband preserved these issues for appeal. He did not object to the trial judge's ruling concerning the evidence, note any objection to the final equitable distribution decree, or file a motion for reconsideration or rehearing. The final decree and the equitable distribution decree were endorsed by husband's counsel as "Seen." Furthermore, the issues that are raised on appeal were not preserved in the record at the places designated by appendix references in the husband's brief. See Rule 5A:20(c). Therefore, we find that the husband failed to preserve these issues for appeal. See Rule 5A:18; Konefal v. Konefal, 18 Va. App. 612, 615, 446 S.E.2d 153, 154-55 (1994); Lee v. Lee, 12 Va. App. 512, 404 S.E.2d 736 (1991) (en banc).

Accordingly, the decision of the circuit court is summarily affirmed.

Affirmed.