

COURT OF APPEALS OF VIRGINIA

Present: Judges Benton, Coleman and Willis

JERRY KENNETH KAIN

v. Record No. 0951-98-3

EUNICE P. KAIN

MEMORANDUM OPINION\*  
PER CURIAM  
NOVEMBER 17, 1998

FROM THE CIRCUIT COURT OF AMHERST COUNTY  
J. Michael Gamble, Judge

(William F. Quillian III, on brief), for  
appellant.

(Arelia S. Langhorne, on brief), for  
appellee.

Jerry Kenneth Kain (husband) appeals the decision of the circuit court awarding spousal support to Eunice P. Kain (wife).

Husband contends that the trial court erred in (1) awarding wife \$725 in monthly spousal support; and (2) disbelieving husband's testimony as to his income. 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.

The record does not contain a transcript of the hearing on husband's motion to reduce spousal support. However, the trial court ordered both husband's proposed Statement of Facts and wife's Objections to Written Statement of Facts be included as a part of the record on appeal.

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

Based upon the record before us, we find no evidence that husband preserved any issues for appeal. The decree granting husband's motion to reduce spousal support was endorsed by husband's counsel under the notation "I Ask For This." No objections were noted, and no motions for reconsideration or rehearing were filed. The written statement of facts contains no indication that the husband made any objection. Therefore, we find that husband failed to preserve these issues for appeal. See Rule 5A:18; 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.