

COURT OF APPEALS OF VIRGINIA

Present: Judges Elder, Felton and Senior Judge Willis

SHIRLEY SIMMONS

v. Record No. 2596-03-1

MARSHALL DARDEN

MEMORANDUM OPINION*
PER CURIAM
FEBRUARY 24, 2004

FROM THE CIRCUIT COURT OF THE CITY OF NORFOLK
Marc Jacobson, Judge

(Curtis T. Brown, on brief), for appellant.

(André A. Foreman, on brief), for appellee.

Shirley Simmons appeals the September 16, 2003 order of the circuit court denying her motion to disallow a reduction in Marshall Darden's child support obligation. On appeal, Simmons contends the trial court erred by ruling (1) severance pay invested by Darden into an individual retirement account should not be considered as imputed income; and (2) Darden could receive a reduction in his child support obligation following his voluntary retirement. Upon reviewing the record and briefs, we conclude that this appeal is without merit. Accordingly, we summarily affirm the decision of the trial court. See Rule 5A:27.

Analysis

Simmons' counsel endorsed the court's order "Seen and Objected to" and did not particularize the basis for her objection. The parties' written statement of facts also contains no information regarding the basis for Simmons' objection to the order.

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

Rule 5A:18 provides that “[n]o ruling of the trial court . . . will be considered as a basis for reversal unless the objection was stated together with the grounds therefor at the time of the ruling, except for good cause shown or to enable the Court of Appeals to attain the ends of justice.” “Ordinarily, endorsement of an order ‘Seen and objected to’ is not specific enough to meet the requirements of Rule 5A:18 because it does not sufficiently alert the trial court to the claimed error.” Herring v. Herring, 33 Va. App. 281, 286, 532 S.E.2d 923, 926 (2000) (quoting Mackie v. Hill, 16 Va. App. 229, 231, 429 S.E.2d 37, 38 (1993)). Therefore, Rule 5A:18 bars our consideration of Simmons’ arguments 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, we summarily affirm the decision of the trial court. See Rule 5A:27.

Affirmed.