

IN THE COURT OF APPEALS
TWELFTH APPELLATE DISTRICT OF OHIO
CLERMONT COUNTY

LINDA SIMPSON,	:	
	:	
Plaintiff-Appellant/ Cross-Appellee,	:	CASE NO. CA2000-07-051
	:	
- vs -	:	<u>JUDGMENT ENTRY</u>
	:	(Accelerated Calendar)
	:	3/12/2001
BRIAN SIMPSON,	:	
	:	
Defendant-Appellee/ Cross-Appellant.	:	

This cause is a consolidated, accelerated appeal from a decision of the Clermont County Court of Common Pleas, Domestic Relations Division modifying the child support obligations between plaintiff-appellant/cross-appellee, Linda Simpson, and defendant-appellee/cross-appellant, Brian Simpson.¹

Linda Simpson's first assignment of error is overruled for the reason that the trial court did not err by determining that the amount of child support Brian Simpson was required to pay must be changed due to the occurrence of a substantial change of circumstances. See R.C. 3113.215(B)(4). Specifically, the trial court's decision to modify the child support order was not an abuse of discretion. See Booth v. Booth (1989), 44 Ohio

St.3d 142, 144; Matrka v. Matrka (1995), 100 Ohio App.3d 161, 164-65.

Linda Simpson's second assignment of error is overruled for the reason that the trial court did not err by offsetting her child support obligation against Brian Simpson's child support obligation. See Beard v. Beard (1998), 130 Ohio App.3d 102, 105; Luke v. Luke, 1998 Ohio App. 1998 WL 172813 (Feb. 20, 1998), Lake App. No. 97-L-044, unreported.

Brian Simpson's assignment of error is overruled because the trial court did not abuse its discretion by concluding that it was just, appropriate and in the children's best interest to deviate from the child support guidelines. See Booth (1989), 44 Ohio St.3d at 144; R.C. 3113.215(B)(3).

Upon consideration of the foregoing, the trial court's decision is affirmed. Court costs are assessed equally to the parties.

Pursuant to App.R. 11.1(E), this entry shall not be relied upon as authority and will not be published in any form. A certified copy of this judgment entry shall constitute the mandate pursuant to App.R. 27.

Costs to be taxed in compliance with App.R. 24.

Stephen W. Powell, Presiding Judge

1. Pursuant to Loc.R. 6(A), we have sua sponte assigned this appeal to the accelerated calendar.

James E. Walsh, Judge

Anthony Valen, Judge