

## STATEMENT OF LEGAL ISSUES

## ISSUE A

WHETHER APPELLEE'S MOTION TO MODIFY ORDER OF THE COURT REGARDING PROPERTY DIVISION SHOULD HAVE BEEN DISMISSED BASED UPON THE AFFIRMATIVE DEFENSES AND MOTIONS FILED BY THE APPELLANT.

The Trial Court concluded that it had authority to modify the property division based on what it determined was the prior Judge's intent, and did not consider the defenses or motions filed by Appellant.

## ISSUE B

WHETHER THE TRIAL COURT ABUSED ITS DISCRETION BY AMENDING THE PRIOR JUDGMENT, NUNC PRO TUNC, THUS DEPRIVING APPELLANT OF HER PROPERTY RIGHTS UNDER THE FORMER DECREE AND THE FOREIGN SERVICES ACT.

The Trial Court amended the Judgment and Decree of Divorce to include language which specifically eliminated Appellant's statutory rights to a share of her former spouse's retirement and to a survivor's annuity.

## ISSUE C

WHETHER IT WAS AN ABUSE OF DISCRETION TO DENY DEFENDANT ALIMONY AFTER SHE WAS DEPRIVED OF A PORTION OF HER PROPERTY DIVISION.

The Trial Court denied Appellant's Motion for Alimony after it had deprived her of her statutory entitlement to the retirement and annuity.

## ISSUE D

WHETHER IT WAS AN ABUSE OF DISCRETION TO DENY APPELLANT'S REQUEST FOR ATTORNEY'S FEES.

The Trial Court denied Appellant's Motion for Attorney's fees.