

**COURT OF APPEALS
DECISION
DATED AND RELEASED**

October 17, 1996

A party may file with the Supreme Court a petition to review an adverse decision by the Court of Appeals. See § 808.10 and RULE 809.62, STATS.

NOTICE

This opinion is subject to further editing. If published, the official version will appear in the bound volume of the Official Reports.

No. 95-0754

STATE OF WISCONSIN

**IN COURT OF APPEALS
DISTRICT IV**

In re the Marriage of:

KATHLEEN STAVLO, f/k/a Kathleen Saa,

Petitioner-Appellant,

v.

FRANCISCO SAA,

Respondent-Respondent.

APPEAL from an order of the circuit court for Dane County:
P. CHARLES JONES, Judge. *Affirmed.*

Before Vergeront, J., Paul C. Gartzke and Robert D. Sundby,
Reserve Judges.

PER CURIAM. Kathleen Stavlo appeals from an order denying her motion for a retroactive increase in child support. The issue is whether this court is empowered to create a policy exception to § 767.32(1m), STATS., to award a retroactive increase in child support. We are not empowered to create

an exception to §767.32(1m), which precludes a retroactive modification of child support unless it is to correct a previous error in calculation. Therefore, we affirm.

The trial court applied the proper legal standards to the relevant facts and reached the correct decision. Therefore, we incorporate the trial court's memorandum decision and affirm its order. *See* WIS. CT. APP. IOP VI(5)(A) (June 13, 1994) (court of appeals may adopt the trial court's opinion).

By the Court. – Order affirmed.

This opinion will not be published. *See* RULE 809.23(1)(b)5, STATS.

AN EXHIBIT HAS BEEN ATTACHED TO THIS
OPINION. THE EXHIBIT CAN BE OBTAINED UNDER SEPARATE
COVER BY CONTACTING THE WISCONSIN COURT OF APPEALS.

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Court of Appeals