

NOT DESIGNATED FOR PUBLICATION

No. 104,044

IN THE COURT OF APPEALS OF THE STATE OF KANSAS

In the Matter of the Marriage of
JACQUELINE L. FLINEY-DETWELER,
Appellant,

and

RICHARD L. DETWEILER,
Appellee.

MEMORANDUM OPINION

Appeal from Marshall District Court; JAMES A. PATTON, judge. Opinion filed October 8, 2010.
Affirmed.

Jacqueline L. Fliney-Detweiler, appellant pro se.

Richard L. Detweiler, appellee pro se.

Before GREENE, P.J., MALONE and HILL, JJ.

Per Curiam: Jacqueline Fliney-Detweiler challenges certain decisions of the district court as they relate to visitation with her son. Neither of the briefs filed in this case conforms to applicable rules of the Kansas Supreme Court, and the issues presented are not well defined if not incomprehensible. After reviewing the briefs and the record on appeal we discern that Jacqueline is arguing that the district court has erred in enforcing or not enforcing a parenting plan approved in a prior proceeding; she argues that the district judge has in fact become biased against her. Finally, she asks that we

find her ex-husband Richard Detweiler and his current wife guilty of perjury and falsifying documents.

"When custody issues lie only between the parents, the paramount consideration of the court is the welfare and best interests of the child. The trial court is in the best position to make the inquiry and determination and, in the absence of abuse of sound judicial discretion, its judgment will not be disturbed on appeal." *In re Marriage of Rayman*, 273 Kan. 996, Syl. ¶ 1, 47 P.3d 413 (2002).

"In reviewing the trial court's decision, we bear in mind that the judgment of the trial court regarding parenting time and visitation will not be disturbed absent an affirmative showing of abuse of discretion." *In re Marriage of Kimbrell*, 34 Kan. App. 2d 413, 419, 119 P.3d 684 (2005).

Our review of the record on appeal shows this has been a long and contentious case. The record shows that the district judge in this case is well versed with the position of both parties and the feelings of the minor child. We find no evidence in the record to support Appellant's claim that the judge has become biased against her wish to spend time with her son. Further, we find no grounds in the record to support Appellant's request that her ex-husband and his current wife be found in contempt of court. We conclude that no abuse of discretion has been shown and that the district court should be affirmed.

The district court's decisions are affirmed under Supreme Court Rule 7.042(f) (2009 Kan. Ct. R. Annot. 58).