

NOTICE: NOT FOR OFFICIAL PUBLICATION.
UNDER ARIZONA RULE OF THE SUPREME COURT 111(c), THIS DECISION IS NOT PRECEDENTIAL
AND MAY BE CITED ONLY AS AUTHORIZED BY RULE.

IN THE
ARIZONA COURT OF APPEALS
DIVISION ONE

In the Matter of:

LORENA LOPEZ, *Petitioner/Appellant*,

v.

MANUEL MEJIA, *Respondent/Appellee*.

No. 1 CA-CV 20-0558 FC
FILED 6-8-2021

Appeal from the Superior Court in Maricopa County
No. FC2016-070840
The Honorable J. Justin McGuire, Judge *Pro Tempore*

AFFIRMED

COUNSEL

Lorena Lopez, Buckeye
Petitioner/Appellant

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MEMORANDUM DECISION

Presiding Judge David B. Gass delivered the decision of the Court, in which Judge Michael J. Brown and Judge David D. Weinzweig joined.

G A S S, Judge:

¶1 Lorena Lopez challenges the superior court's order terminating a spousal maintenance order entered in 2016. We affirm.

FACTUAL AND PROCEDURAL HISTORY

¶2 Wife petitioned to dissolve the parties' marriage. The superior court entered a decree in September 2016 obligating Manuel Mejia to pay \$3,000.00 in monthly spousal maintenance for four years starting on October 1, 2016. The superior court entered an income withholding order with a presumptive termination date of September 30, 2020.

¶3 Husband petitioned to modify the income withholding order in July 2020, contending his "[f]irst [spousal maintenance] payment was made on 9/7/2016" and "seeking any overpayment refund." Wife opposed the petition, contending she did not receive the first payment until October 4, 2016, and the "[l]ast payment is scheduled for September 30, 2020." Following an evidentiary hearing the superior court granted husband's petition and terminated the spousal maintenance order as of August 28, 2020.

¶4 Wife moved for reconsideration, arguing the superior court relied on an incorrect arrears calculation report and she was still owed \$1,480.55. The superior court denied the motion.

¶5 Wife timely appealed. This court has jurisdiction under article VI, section 9, of the Arizona Constitution, and A.R.S. § 12-120.21.A.1.

ANALYSIS

¶6 This court reviews the ruling on husband's petition for an abuse of discretion. *In re Marriage of Priessman*, 228 Ariz. 336, 338, ¶ 7 (App. 2011).

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¶7 Wife argues the superior court applied an erroneous arrears calculation report. She cites no record evidence to support her argument and did not provide a transcript of the evidentiary hearing. An appellant contending a conclusion is unsupported by or contrary to the evidence “must include in the record transcripts of all proceedings containing evidence relevant to that . . . conclusion.” ARCAP 11(c)(1)(B). Because wife did not provide the necessary record documents, we presume the evidence presented at the hearing supported the superior court’s findings and conclusions. *See Hefner v. Hefner*, 248 Ariz. 54, 60, ¶ 19 (App. 2019).

CONCLUSION

¶8 We affirm the superior court’s order. We decline to award attorney fees or costs because husband did not file an answering brief.



AMY M. WOOD • Clerk of the Court
FILED: AA