

MEMORANDUM DECISION

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IN THE
Court of Appeals of Indiana

Jill D. Beagle (formerly Schlotterback),

Appellant-Petitioner

v.

Terry L. Schlotterback, Jr.,

Appellee-Respondent



April 26, 2024

Court of Appeals Case No.
24A-DN-327

Appeal from the Noble Superior Court
The Honorable Steven T. Clouse, Judge

Trial Court Cause No.
57D01-2009-DN-6

Memorandum Decision by Judge Crone
Judges Bailey and Pyle concur.

Crone, Judge.

- [1] When Jill D. Beagle (formerly Schlotterback) (Wife) filed a petition to dissolve her marriage to Terry L. Schlotterback, Jr. (Husband) in September 2020, the marital residence was worth \$385,000. Wife left the residence, and Husband maintained possession. At the time of the final hearing in April 2022, the residence was worth around \$550,000 to \$560,000. In its August 2022 dissolution decree, the trial court valued the residence at \$385,000, found that Husband was entitled to any increase in value since the date of filing, determined that neither party had successfully rebutted the statutory presumption that an equal division of marital property is just and reasonable, and divided the marital estate equally.
- [2] Wife appealed, arguing that allowing Husband to realize any increase in the value of the marital residence resulted in an unequal division of the marital estate. We agreed and therefore reversed and remanded with the following instructions to the trial court: “(1) determine and assign a value to the marital residence as of the date of dissolution; (2) account for and credit Husband for any contributions, financial or otherwise, that he made to that marital asset during the pendency of these proceedings; and (3) modify the dissolution decree accordingly.” *Beagle v. Schlotterback*, No. 22A-DN-2947, 2023 WL 3733550, at *3 (Ind. Ct. App. May 31, 2023).
- [3] On remand, the trial court held a hearing and subsequently issued an order in which it (1) valued the marital residence as of the date of dissolution at

\$587,500, (2) calculated that Husband had contributed \$32,890 to the residence during the pendency of the proceedings, and (3) reaffirmed that the marital estate should be divided equally, valued it at \$597,239 (including various assets and liabilities), and ordered Husband to pay Wife \$244,900.50 as an equalization payment. Before equalization, Wife received \$20,829 of the marital estate. \$20,829 plus \$244,900.50 equals \$265,729.50, which is \$32,890 less than half the value of the marital estate, which is \$298,619.50. Wife filed a motion to correct error, which the trial court denied.

[4] Wife again appeals, arguing that the trial court erred in awarding her less than half the value of the marital estate. Again, we agree. Because this is a matter of simple arithmetic, we simply reverse and remand with instructions to modify the order accordingly.

[5] Reversed and remanded.

Bailey, J., and Pyle, J., concur.

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