

NO. 07-11-0123-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
SEPTEMBER 1, 2011

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In the Matter of the Marriage of GEORGE EDWARD FROSCH and  
AVONNA KAY FROSCH

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FROM THE 108TH DISTRICT COURT OF POTTER COUNTY;  
NO. 79,906-E; HONORABLE DOUGLAS WOODBURN, PRESIDING

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***Memorandum Opinion***

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Before QUINN, C.J., and CAMPBELL and PIRTLE, JJ.

George Edward Frosch appeals *pro se* a divorce decree ending his marriage to Avonna Kay Frosch. He contends that Avonna committed perjury and forged a state document because she was already married to another man at the time she married appellant and that she forged the name of the person that was to stand in on his behalf on the marriage by proxy certificate. He further contends that the 1994 Dodge Ram pickup awarded to his wife in the decree of divorce was a gift to him by his stepfather and was not community property. He requests that we return the property that is rightfully his and hold Avonna responsible for all court costs and attorney's fees. We affirm the decree.

Appellant did not appear at the hearing on the petition for divorce filed by Avonna. Although he sought a bench warrant from the site of his incarceration in Iowa Park, Texas, which was denied, he did not meet his burden to show why his personal presence was warranted. See *In re Z.L.T.*, 124 S.W.3d 163, 165-66 (Tex. 2003). He also did not request to participate in the proceeding by some other means such as by telephone, affidavit, or video conferencing. Because appellant did not participate in the hearing, he failed to perfect a record with respect to his current contentions.

Therefore, appellant's allegations that Avonna was already married, forged one or more documents, and that the pickup truck was his separate property are factual assertions without any support in the record. We do not consider such assertions on appeal. *Unifund CCR Partners v. Weaver*, 262 S.W.3d 796, 797 (Tex. 2008).

Accordingly, the divorce decree is affirmed.

Per Curiam