

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

SMC,	:	NO. 93-20,121
Petitioner	:	
	:	
vs.	:	
	:	
DRY, SR.,	:	Domestic Relations Section
Respondent	:	Exceptions

OPINION AND ORDER

Before the Court are Petitioner's exceptions to the Family Court Order dated August 29, 2003 in which Respondent was directed to pay child support to Petitioner. Argument on the exceptions was heard October 8, 2003.

In her exceptions Petitioner contends the hearing officer erred in considering Respondent's business expenses when calculating his income. Specifically, Petitioner contends that there was no mention of the expenses at the hearing and that she was prevented from cross-examining Respondent regarding those expenses. Petitioner requests the matter be remanded for further cross-examination. Respondent's tax return was presented and introduced into evidence at the hearing in Family Court however, and Petitioner could have cross-examined Respondent regarding that return, including the business expenses listed thereon.

Petitioner also contends the food expense should not have been considered, but an examination of the Schedule A indicates that only half the expense was included in the deduction allowed by the hearing officer. The Court finds no error in this regard.

ORDER

AND NOW, this 9th day of October, 2003, for the foregoing reasons, Petitioner's exceptions are hereby denied and the Order of August 29, 2003 is hereby affirmed.

By the Court,

Dudley N. Anderson, Judge

cc: Family Court
Domestic Relations
Janice Yaw, Esq.
DY
Gary Weber, Esq.
Dana Jacques, Esq.
Hon. Dudley N. Anderson