

Mansuetta v. Mansuetta

Case Number

S-19-0065

Case Audio

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Call Date

December 3, 2019

Case Time

9:00 AM

Court Number

Buffalo

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0065 Valerie A. Mansuetta (Appellant) v. Nicholas T. Mansuetta (Appellee)

Buffalo County District Court, Judge William T. Wright

Attorneys: Heather Swanson Murray (Swanson Murray Law LLC, PC.) ? Kent A. Schroeder (Ross, Schroeder, & George, LLC)

Civil: Dissolution of Marriage

Proceedings Below: The trial court dissolved the parties' marriage; divided the marital assets; allocated the marital debts and denied the Appellant's request for attorney fees. The trial court found that the prenuptial agreement was valid and enforceable and that the date of valuation was at or near the separation of the parties.

Issues: Appellant assigns the following errors: Whether the trial court erred 1) in finding the date of the valuation for the division of property and allocation of debts was that date of the separation; 2) in failing to include in the division of property, property acquired during the marriage; 3) in finding that the Appellant was not entitled to temporary spousal support; 4) in finding it was necessary for Appellant to demonstrate that she was destitute in order to obtain temporary spousal support; 5) in finding that the preclusion of temporary spousal support in the prenuptial agreement was not contrary to public policy; 6) in finding that Appellant had an obligation to apprise the court that she was changing trial strategies with regard to marital vs. non-marital property; 7) in failing to order Appellee to reinstate Appellant's health insurance coverage; 8) in failing to grant Appellant's motion to bifurcate the dissolution action from the determination of the validity of the prenuptial agreement; 9) in failing to equitably distribute the marital assets and debts; 10) in failing to award attorney fees; 11) and in failing to receive some exhibits.

Appellee cross-appeals and assigns the following: Whether the trial court erred 1) in failing to assign monies Appellant dissipated from the marital estate to her as a portion of the property division awarded by the trial court; 2) in failing to find property of Appellee as gifted

property; 3) in failing to consider payments made by the parties to reduce debt on premarital property; 4) in awarding certain property specifically excluded by the prenuptial agreement; 5) in awarding Appellant credit for having paid medical bills without evidence to support such payment; and 6) in failing to award credit to Appellee for tax liability as a result of joint tax return filings on income earned prior to the parties' separation.

Schedule Code

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