

Higgins v. Carrier (PFR)

Additional Case Names

10:10 am

Case Number

S-19-0343

Case Audio

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Call Date

September 4, 2020

Case Time

9:00 AM

Court Number

Douglas

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0343 Rashell Rene Carrier (Appellant) v. Billy Meredith Higgins

Douglas County District Court, Judge James M. Masteller

Attorneys: Corey J. Wasserburger (Johnson, Flodman, Guenzel & Widger, for Appellant);

Richard W. Whitworth, Megan E. Shupe (Reagan, Melton & Delaney, for Appellee)

Civil: Dissolution decree; Property division

Proceedings below: The district court entered a decree of dissolution and found that the parties' Iowa home, and the proceeds from its sale, were non-marital assets. It also equally divided between the parties the contributions made to Appellee's 401(k) account during the marriage. The court made equitable divisions of the remaining assets and debts, including the parties' 2016 joint tax return refund.

Issues: Whether the district court abused its discretion by 1) classifying the sales proceeds from the Iowa home as a non-marital asset; 2) finding that the increase in value of the 401(k) account beyond the contributions made during the marriage was a nonmarital asset; 3) awarding Appellant 50% of the parties' 2016 tax return refund that accumulated between May 20, 2016, and December 31, 2016; and 4) failing to identify Appellee's accumulated paid time off as a marital asset.

Schedule Code

SC
