NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

SHAWN PATRICK KEHS	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellant	:	
	:	
	:	
v.	:	
	:	
	:	
NAOMI LEE MEANS	:	No. 840 EDA 2026

Appeal from the Order Entered February 26, 2026
In the Court of Common Pleas of Bucks County Domestic Relations at
No(s): 2019DR00042,
PACSES: 586117427

BEFORE: McLAUGHLIN, J., KING, J., and BECK, J.

MEMORANDUM BY KING, J.: **FILED NOVEMBER 18, 2026**

Appellant, Shawn Patrick Kehs, appeals *pro se* from the order entered in the Bucks County Court of Common Pleas, which denied his motion for child support following a *de novo* hearing. We affirm.

The relevant facts and procedural history of this appeal are as follows. Father and Appellee, Naomi Lee Means, are the parents of three minor children, O.B.K. (born May 2008), S.I.L.K. (born July 2009), and O.A.K. (born August 2014) (collectively, "Children"). Mother and Father were previously married but divorced in December 2018. In June 2025, Father filed a complaint for child support.

On October 21, 2025, the court held a support hearing, during which Father represented himself. Father testified that he had lost his job at a snack food company in June 2024 and that he was unemployed, although he had

held a part-time job that summer. Father agreed that he had the ability to earn between $18 and $20 an hour. As well, Father testified that the family home had burned down in a house fire.

Mother testified that she had been unemployed since 2023. Mother had been unable to work due to medical reasons since September 2024. Specifically, Mother suffered from unspecified psychosis and generalized anxiety disorder.[1] Mother lives in San Diego and receives housing assistance from the State of California, as well as food stamps and cash assistance. Mother stated she did not receive Social Security Disability, as she needs assistance to file a claim.

Father told the court that he believed Mother did not really suffer from anxiety, and that she had received a windfall of $155,000.00. Mother explained that the $155,000.00 that Father was referencing was her portion of the equity in the marital home. Mother stated that, after the house fire, Father made an insurance claim. With the proceeds, he offered to buy Mother out as part of a post-divorce settlement agreement, and she accepted the offer. As well, the parties set aside $10,000.00 per child from the insurance proceeds for their future benefit.

When Father's questioning of Mother became argumentative, the court limited the questions he could ask. At the close of the hearing, the court found

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[1] Mother provided documentation signed by Sarah Pai, psychiatric mental health nurse practitioner, stating that the onset of Mother's mental illness began on September 7, 2024, and, although Mother is seeking treatment for her mental illness, the condition is chronic and affects her ability to work.

that Mother could not work because of mental illness and denied Father's request for child support.[2]

On October 26, 2025, Father filed a motion for reconsideration, arguing that the court erred when it did not consider Mother's home equity buyout as income; the evidence did not support a finding of disability; the court wrongfully curtailed his cross examination of Mother; and the court erred in both rejecting Father's testimony as not credible and by concluding that Mother was unable to work. On November 7, 2025, the court entered an order granting the motion for reconsideration.

On February 19, 2026, the court convened an evidentiary hearing. At

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[2] The trial court noted, during the hearing:

> I feel as though—and I want to state for the record, first of all, that I can hear in Mom's voice the tenuous nature of her responses, the emotion in her voice, the fear in her voice, the psychological trauma that she's undergoing right now by answering these questions.
>
> And I will state for the record that I believe that Dad is asking these questions—some of them are relevant, but he's doing it more for the purposes of creating pain in Mom than in raising actually any legitimate issues for this [c]ourt's consideration.
>
> So I have an obligation to respect the defendant in this case and her psychological needs. And so I'm going to say to you, sir, you need to wrap this up. I've given you plenty of time to pursue the issues. You have three more questions. You'll ask them of me and then I'll ask them of the defendant.

(***See*** N.T. Hearing, 10/21/25, at 24-25).

the hearing, the court heard additional testimony concerning Father and Mother's employment history, and Mother's disability and treatment, as well as information about Mother's receipt, as part of their divorce settlement, of a $155,000.00 fire insurance payment in exchange for her equity in the marital residence.

The court noted on the record that the original marital settlement agreement had ordered that Father buy out Mother's interest in the home, which he had not done. On June 5, 2025, on the divorce docket, the court approved a post-divorce stipulation agreement between the parties regarding the marital property. The stipulation indicated that $155,000.00 had been paid to Mother, and she had signed the deed of the home over to Father.

Ultimately, the court concluded that Mother was presently unable to work, such that the state of California determined that Mother was entitled to a housing subsidy, food subsidy and cash assistance; Mother's earning capacity was low or non-existent. As such, the court found that there was no competent evidence upon which it could find in favor of Father. On February 24, 2026, the court entered an order denying Father's complaint for support.

On March 17, 2026, Father timely filed a notice of appeal. On March 24, 2026, the court ordered Father to file a Pa.R.A.P. 1925(b) statement of errors complained of on appeal. On April 7, 2026, Father timely complied.

On appeal, Father raises the following issues for review:

> 1. Whether the trial court committed an error of law and abused its discretion by concluding Mother was presently unable to work and by assigning zero earning capacity,

where the court relied heavily on California welfare-related paperwork and benefits, used only an illustrative wage allocation, and did not conduct a disciplined Pa.R.C.P. 1910.16-2(d)(4) analysis of Mother's education, skills, work history, assets, and commercial activity.

2. Whether the trial court committed an error of law and abused its discretion by treating Mother's $155,000 post-fire/equitable-distribution payment as effectively outside meaningful support analysis, and by comparing that payment to an incomplete and inaccurate premise that Father received approximately $93,000 available for discretionary use.

3. Whether the trial court committed an error of law and abused its discretion by dismissing Father's Complaint for Support and imposing no support obligation on Mother despite Father's primary physical custody, Father's overwhelming financial burden for the parties' three children, and the court's own illustrative guideline assumptions.

4. Whether the trial court abused its discretion by minimizing admitted impeachment evidence and material inconsistencies concerning Mother's Facebook account, work-history representations, Etsy activity, and sound-healing related activity when evaluating credibility and earning capacity.

5. Whether the trial court's Rule 1925(a) opinion improperly attempted to cure underlying legal and factual errors by attacking Father's credibility and motives, minimizing Mother's material inconsistencies, and recasting Father's support claim as punitive rather than addressing the deficiencies in the court's support analysis.

(Father's Brief at 3-4) (unpaginated).[3]

Preliminarily, we recognize:

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[3] Mother did not file a responsive brief.

> [A]ppellate briefs and reproduced records must materially conform to the requirements of the Pennsylvania Rules of Appellate Procedure. Pa.R.A.P. 2101. This Court may quash or dismiss an appeal if the appellant fails to conform to the requirements set forth in the Pennsylvania Rules of Appellate Procedure. ***Id.*** Although this Court is willing to liberally construe materials filed by a *pro se* litigant, *pro se* status confers no special benefit upon the appellant. To the contrary, any person choosing to represent himself in a legal proceeding must, to a reasonable extent, assume that his lack of expertise and legal training will be his undoing.

In re Ullman, 995 A.2d 1207, 1211-12 (Pa.Super. 2010), *appeal denied*, 610 Pa. 600, 20 A.3d 489 (2011) (some internal citations omitted). ***See also*** Pa.R.A.P. 2114-2119 (addressing specific requirements for appellate briefs).

Instantly, Father's brief is inadequate as the issues raised do not match the argument section of the brief, and the brief lacks any citation or discussion of relevant authority to support his conclusory assertions on appeal. ***See*** Pa.R.A.P. 2111(a) (discussing required content of appellate briefs). Indeed, Father fails to cite to, quote, or discuss a single case, even while listing the suggested scope and standard of review. ***See also Butler v. Illes***, 747 A.2d 943 (Pa.Super. 2000) (holding appellant waived claim where she failed to set forth adequate argument concerning her claim on appeal; appellant's argument lacked meaningful substance and consisted of mere conclusory statements; appellant failed to cogently explain or even tenuously assert why trial court abused its discretion or made error of law). ***See also Lackner v. Glosser***, 892 A.2d 21 (Pa.Super 2006) (explaining appellant's arguments must adhere to rules of appellate procedure, and arguments which are not appropriately developed are waived; arguments not appropriately developed

include those where party has failed to cite relevant authority in support of contention); ***Jones v. Jones***, 878 A.2d 86 (Pa.Super. 2005) (explaining failure to argue and cite to supporting relevant authority constitutes waiver of issue on appeal). Nevertheless, because the trial court has addressed Father's issues at length, we decline to find waiver in this instance despite the inadequacy of Father's brief.

In Father's first, third, and fourth issues, which we address together as they are interrelated, he argues that the court erred and abused its discretion by refusing to impose a child support obligation on Mother and concluding she has no earning capacity. First, Father asserts that the court applied an inconsistent and incomplete earning capacity analysis, relied upon inappropriate evidence including Mother's application for California public assistance, and disregarded evidence Father introduced. As well, Father contends that Mother is able to work part-time, remote, or self-directed, and that the court ignored evidence of this ability. Father further maintains, without citation to supporting authority, that the court should have conducted an "actual Rule 1910.16-2(d)(4) analysis." Father also claims that the court incorrectly refused to order Mother to pay child support where he has primary physical custody of Children and the "overwhelming financial burden" for Children. Father concludes the court erred by denying him relief, and this Court must grant relief. We disagree.

Our standard of review of child support orders is well settled:

> When evaluating a support order, this Court may only

> reverse the trial court's determination where the order cannot be sustained on any valid ground. We will not interfere with the broad discretion afforded the trial court absent an abuse of the discretion or insufficient evidence to sustain the support order. An abuse of discretion is not merely an error of judgment; if, in reaching a conclusion, the court overrides or misapplies the law, or the judgment exercised is shown by the record to be either manifestly unreasonable or the product of partiality, prejudice, bias or ill will, discretion has been abused.

Summers v. Summers, 35 A.3d 786, 788 (Pa.Super. 2012). As well,

> it is not an appellate court's duty to create the record or assess credibility, we must nevertheless examine the existing record to ascertain whether sufficient facts are present to support the trial court's order. If sufficient evidence exists in the record to substantiate the trial court's action, and the trial court has properly applied accurate case law to the relevant facts, then we must affirm.

Hibbitts v. Hibbitts, 749 A.2d 975, 976-77 (Pa.Super. 2000) (citations omitted).

Pursuant to Section 4322(a) of the Domestic Relations Code:

> Child and spousal support shall be awarded pursuant to a Statewide guideline as established by general rule by [our] Supreme Court, so that persons similarly situated shall be treated similarly. The guideline shall be based upon the reasonable needs of the child or spouse seeking support and the ability of the obligor to provide support. In determining the reasonable needs of the child or spouse seeking support and the ability of the obligor to provide support, the guideline shall place primary emphasis on the net incomes and earning capacities of the parties, with allowable deviations for unusual needs, extraordinary expenses[,] and other factors, such as the parties' assets, as warrant special attention. The guideline so developed shall be reviewed at least once every four years.

23 Pa.C.S.A. § 4322(a). Pursuant to the support guidelines, a support

obligation is based upon the parties' monthly net incomes, based on "at least a six-month average of a party's income," and includes gross income from any source, including but not limited to wages, net income from a business, rents, pension plan distributions, Social Security disability benefits, awards and verdicts, *et cetera*. Pa.R.C.P. 1910.16-2(a). To calculate the monthly net income, the court will then deduct certain withholdings and payments from the gross income. ***See*** Pa.R.C.P. 1910.16-2(c)(1).

Additionally, a party's net income will not be downwardly adjusted if the trier-of-fact finds that "the party voluntarily assumed a lower paying job, quit a job, left employment, changed occupations, changed employment status to pursue an education, or employment is terminated due to willful misconduct." Pa.R.C.P. 1910.16-2(d)(1)(ii). "When a party willfully fails to obtain or maintain appropriate employment, the trier-of-fact may impute to the party an income equal to the party's earning capacity." Pa.R.C.P. 1910.16-2(d)(4)(i). ***See also Dennis v. Whitney***, 844 A.2d 1267, 1269 (Pa.Super. 2004) (stating, "[w]here a party willfully fails to obtain appropriate employment, his or her income will be considered to be equal to his or her earning capacity"); ***Woskob v. Woskob***, 843 A.2d 1247, 1254 (Pa.Super. 2004) (stating that "[w]here a party assumes a lower paying job or willfully fails to obtain appropriate employment, the support obligation is determined by his, or her, assessed earning capacity").

Regarding earning capacity, the Pennsylvania Rules of Civil Procedure provide, in relevant part:

Rule 1910.16-2. Support Guidelines. Calculation of Monthly Net Income

* * *

(d) Reduced Income or Fluctuating Earnings.

* * *

(4) *Earning Capacity--Initial Orders and Modifications.*

(i) When calculating an initial order or modifying an existing order, if a party fails to obtain or maintain appropriate employment, the trier-of-fact shall impute to the party an income equal to the party's earning capacity.

(A) Earning Capacity Limitation. The trier-of-fact:

(I) shall not impute income to the party based on an earning capacity that exceeds the amount the party could earn from one full-time position; and

(II) shall determine a reasonable work regimen based upon the party's relevant circumstances, including the jobs available within a particular occupation, working hours and conditions, and whether a party has exerted substantial good faith efforts to find employment.

(B) The trier-of-fact shall base the party's earning capacity on the subdivision (d)(4)(ii) factors.

(C) After assessing a party's earning capacity, the trier-of-fact shall state the reasons for the assessment in writing or on the record.

(D) When the trier-of-fact determines an earning capacity for a party who would incur child care expenses if the party were employed, the trier-of-fact shall consider reasonable child care

> responsibilities and expenses for the purpose of discretionary allocation pursuant to Pa.R.Civ.P. 1910.16-6(a)(1)(ii).
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> (ii) Factors. In determining a party's earning capacity, the trier-of-fact shall consider the party's:
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> (A) child care responsibilities and expenses that would actually be incurred by the party if employed;
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> (B) assets;
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> (C) residence;
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> (D) employment and earnings history;
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> (E) job skills;
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> (F) educational attainment;
>
> (G) literacy;
>
> (H) age;
>
> (I) health;
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> (J) criminal record and other employment barriers;
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> (K) record of seeking work;
>
> (L) local job market, including the availability of employers who are willing to hire the party;
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> (M) local community prevailing earnings level; and
>
> (N) other relevant factors.

Pa.R.C.P. 1910.16-2(d)(4). When considering health-related concerns, medical expert testimony is not required to prove that a party is incapable of working full time. ***See Malenfant v. Malenfant***, 639 A.2d 1249, 1251

(Pa.Super. 1994). ***See also Hesidenz v. Carbin***, 512 A.2d 707, 711 (Pa.Super. 1986) (holding testimony concerning wife's physical condition was sufficient to support trial court's finding that wife was physically incapable of working full time). In summary, regarding earning capacity and support calculation:

> a person's support obligation is determined primarily by the parties' actual financial resources and their earning capacity. Although a person's actual earnings usually reflect his earning capacity, where there is a divergence, the obligation is determined more by earning capacity than actual earnings. Earning capacity is defined as the amount that a person realistically could earn under the circumstances, considering his age, health, mental and physical condition, training, and earnings history.

Woskob, supra at 1251 (citations omitted).

Instantly, the trial court explained:

> In some cases, a party in a child support action does not have any substantial earning capacity. Such is the case here. In the present case, Mother's earning capacity was determined pursuant to the Support Guidelines expressed by Rule 1910.16-2. Most notably, evidence was received and admitted which indicated that Mother is presently **unable** to work. As mentioned previously, Mother presented evidence from her medical care provider in California asserting that Mother presently suffers from unspecified psychosis, not due to substance abuse, and generalized anxiety disorder. This medical documentation goes on to state that these conditions severely affect Mother's ability to secure and/or maintain gainful employment. M-1 indicates that the onset of Mother's mental illness began on September 7, 2024, that the condition is chronic in nature, but that she is actively seeking treatment. M-1 is signed by Nurse Practitioner Sarah Pai of Heartland Wellness and Recovery Center in El Cajon, California. Mother stated in her testimony that Nurse

> Practitioner Pai is a psychiatrist. Mother stated she meets with her psychiatrist every three months to discuss the efficacy of her medications, and that she does therapy for one hour either weekly or biweekly. Testimony was also taken from Mother that she presently takes three (3) psychotropic medications, and that she has been taking mental health medications since 2019. Mother stated that she has talked to her doctor about working part-time but that she was told she doesn't have the capacity to do so right now. When asked if she was hopeful that she might be able to work in the future, Mother stated that she did not know.
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> The diagnosis expressed by Mother's healthcare provider in M-1 and Mother's testimony as to her own mental health condition directly implicate the "health" factor the trier-of-fact must consider when determining a party's earning capacity. Such medical documentation is not required for determining whether a party presently suffers from an ailment affecting their earning capacity .... Where such evidence exists, it is quite persuasive. Here, Mother's medical documentation is supported by her testimony that she is mentally unwell and unable to pursue gainful employment.
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> For all practical purposes, analysis of Mother's present ability to pay support could end here .... Under these circumstances testified to by Mother and documented by M-1, Mother has no meaningful earning capacity.
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> Despite finding Mother has no earning capacity because of her mental condition, the [c]ourt elicited testimony regarding her prior employment history, record of seeking work, educational attainment and other relevant factors. Mother testified that her last day of gainful employment was in 2023, when she tried to work for an online reading program but was let go after only a month. She testified that between 2018 when the parties separated and her 2023 stint with the reading program, she only worked for the reading program seasonally. Mother testified that she never made more than $4,000.00 per year during those years.
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> Beginning with the birth of the parties' first child and throughout the parties' marriage, Mother claims she was a

stay-at-home parent. Father disputes this and claims Mother made $40,000.00 working for the Wellness Center. Mother claims that she only made approximately $6,000.00 from her time at the Wellness Center in or around 2016 because she only worked one or two days per week and was only there for three or four months. Father also claims that he and Mother were business partners in multiple establishments between 2008 and 2018.

Father also disputes Mother's claim that she only worked for the reading program since their divorce; he claims there are social media posts which indicate she was earning income. Father admitted screenshots from what is purported to be Mother's Facebook profile which seemingly indicate Mother is currently a sound therapist. Mother asserted this evidence is not credible, called into question whether the screenshot actually came from her Facebook account, and that the screenshot does not reflect any actual earned income. Father's second piece of evidence, marked F-2, is a screenshot of an Etsy shop purportedly owned and operated by Mother. Mother initially denied that it was her Etsy shop, but later indicated that she did have an Etsy shop but had abandoned it years prior, had not realized any business profits, and had not sold anything. Father's last piece of evidence, marked F-3, were screenshots of a social media account purportedly belonging to Mother which Father claims show she was assisting her husband in his sound-therapy-healing. Mother claims that these sound-therapy-healing sessions were her current husband's and that she only helped him one time back in 2018. She acknowledges that the evidence depicts her and her husband but asserts that the pictures were taken in 2018 prior to being posted in 2024.

During the first hearing on October 21, 2025, Mother testified that she receives a housing subsidy, cash assistance, and food stamps from the state of California, but that she has not applied for any federal disability benefits. Testimony was also heard at both Hearings that Mother earned an associate's degree online from the American College of Health Care Sciences.

All of these factors, when weighed in conjunction with Mother's medical documentation, still indicate that she is

> present[ly] unable to work. Mother's work history since 2018 has been nearly nonexistent. Father believes Mother should be assigned a minimum part-time earning capacity of $40,000.00, even after accounting for her disability. However, this [c]ourt does not agree. Even if Mother was not medically disabled, there is insufficient evidence that she ever had a yearly earning capacity in excess of $10,000.00. Given Mother's medical documentation and testimony that she is unfit to work, and in consideration of her exceedingly sporadic, nearly nonexistent work history, this Court determined after the Reconsideration Hearing that ***Mother has no earning capacity***.

(Trial Court Opinion, 5/15/26, at 10-14) (citations and some footnotes omitted) (emphasis in original). Regarding the inconsistencies in evidence and testimony, the court observed:

> While Mother's testimony regarding the use of an Etsy account ("the Account") to sell items online was inconsistent, the evidence of Record fails to establish that any income was derived from this source. Mother states that the Account is old and out of use, and that she never made any sales through the Account. Absent a transaction history of the account indicating Mother's receipt of income from sales through the Account, the evidence of Record cannot establish any ability to work. Mother's sworn testimony regarding the Account is credibly consistent with the evidence presented by Father.
>
> Notably, Mother raised her own concerns regarding the credibility of the Exhibits presented by Father. While Father's Exhibits were admitted as relevant, their probative value is marginal at best. There is no evidence that Mother actually earned any income as a result of any conduct documented by Father's Exhibits. This [c]ourt did not abuse its discretion by finding Mother's testimony to be credible and father's Exhibits to lack probative value.

(***Id.*** at 19).

The record supports the trial court's analysis and determination that

Mother has no earning capacity due to her disability, as well as the court's finding that Mother's documentation and testimony were credible. On this record, we cannot say the court abused its discretion in denying Father relief. ***See Summers, supra***; ***Woskob, supra***; ***Hibbetts, supra***. To the extent that Father asks us to re-weigh the court's credibility determinations, and the weight afforded to certain pieces of evidence, we decline to do so. ***See id.*** Father is not entitled to relief on these issues.

In Father's second and fifth issues on appeal, which we address together as they are related, he contends that the court erred by treating Mother's $155,000.00 payment as an equitable distribution payout and not a windfall. Father acknowledges that ***Miller v. Miller***, 783 A.2d 832, 835 (Pa.Super. 2001) "presents a significant obstacle to classifying the $155,000.00 payment as statutory income in the narrow sense." (Father's Brief at 13) (unpaginated). Nevertheless, Father states (without citation to any authority) that "***Miller*** did not relieve the trial court of confronting the actual post-fire allocation of liquid resources or the practical premise of its own fairness analysis." (***See id.*** at 13).[4] As well, Father argues that the court inappropriately discussed Father's "agenda" and challenges the trial court's credibility determinations in Mother's favor. (***Id.*** at 18-19). Father concludes he is entitled to relief on these grounds. We disagree.

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[4] As best we can discern, Father appears to argue that, regardless of the fact that marital assets are not considered income for purposes of support, the court should have crafted some kind of equitable remedy for him. (***Id.*** at 13-14) (unpaginated).

This Court has stated:

> It is settled law that "money included in an individual's income for the purpose of calculating support payments may not also be labeled as a marital asset subject to equitable distribution." ***Rohrer v. Rohrer***, 715 A.2d 463, 465 (Pa.Super. 1998) .... [T]he reverse is also true. Money received from the sale of an asset awarded in equitable distribution may not be included in an individual's income for [the] purposes of calculating support payments. The single caveat to this rule is that any gain realized in the sale of the asset may, indeed must, be included in the calculation of income.

Miller, supra at 835 (footnote omitted). ***See also Hess v. Hess***, 212 A.3d 520, 524 (Pa.Super. 2019) (observing that this Court has repeatedly held that marital assets may not be included in income for purposes of calculating support payments).[5]

Here, the trial court observed:

> While the asset subject to the parties' Equitable Distribution order (the marital residence) was not sold in the case at bar, the holding of ***Miller*** is still applicable. After Mother left the marital residence, the marital residence burned down. The fire insurer servicing the marital residence was set to pay a lump sum to rebuild the house but would not do so without both owners' consent. Mother used this arrangement to leverage a buyout of her equity in the marital residence through Equitable Distribution. In an effort to begin rebuilding the residence after the fire, and to settle Mother's claims in Equitable Distribution, it was arranged that $155,000.00 of the fire insurance proceeds were to be paid to Mother to buy her out of her equity in the marital residence, thereby removing her as an owner and

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[5] Equitable distribution is "merely a division of the marital property of each spouse," and a property settlement agreement disposing of marital assets may also be considered in the same category as property subject to equitable distribution proceedings. ***In re Ware***, 814 A.2d 725, 738 (Pa.Super. 2002).

> permitting Father to proceed with the rebuild. While the circumstances of Father buying Mother out of the marital residence are unfortunate, especially given the displacement of Father and the children, the law is clear that the funds Father requests be considered income for purpose of child support are expressly excluded from the definition of income. Given the factual circumstances of this payment to Mother, the sole exception to the ***Miller*** rule stated above is inapplicable because this transaction represented the fair market value of the asset at the time of Equitable distribution, not a gain. In the simplest terms, Father is wrong, and the lump sum $155,000.00 paid Mother in Equitable Distribution, while derived from the insurance proceeds related to the burning down of the marital residence, is **not** permitted to be used to calculate Mother's income for the purposes of child support.

(Trial Court Opinion, 5/15/26, at 17-18) (internal citations omitted) (emphasis in original). The court further noted:

> Lastly, the [c]ourt expresses concerns about Father's credibility and what seems to be his agenda in this matter. At the initial hearing and now in this Appeal, Father is fixated on what seemingly is an intent to punish Mother for perceived wrongs against him. Father was not completely forthcoming about the funds he received from the fire insurance proceeds. Father did not want to discuss his receipt of proceeds and never, of his own volition, brought that to the [c]ourt's attention. Father improperly attempted to frame the fire insurance payment to Mother as an undeserved windfall. It must be emphasized that both Mother and Father's share of the insurance proceeds were enumerated in the parties' Post-Divorce Stipulation Agreement which was approved and made an Order of this [c]ourt on June 5, 2025. ***See*** 2/19/26 Hearing Exs. Crt-6. Father **agreed** to pay Mother $155,000.00, accepted $93,383.50 for himself, and put $10,000.00 for aside for each of the parties' three (3) children[.] Mother did not receive a windfall, but rather **Father agreed** to pay Mother for her equity in the couple's marital residence in Equitable Distribution. Furthermore, Father attacks Mother's failure to work as if it were a character defect while he, himself has not been working.

(Trial Court Opinion, 5/15/26, at 18-19) (emphasis in original).

The record supports the trial court's analysis. The $155,000.00, as a marital asset subject to equitable distribution, was appropriately excluded from income. ***See Miller, supra***. Additionally, we see no reason to disturb the court's credibility determinations. ***See Hibbitts, supra***. Based upon the foregoing, the court did not err in determining that Mother has no earning capacity and refusing to impose a support obligation. ***See Summers, supra***. Accordingly, we affirm.

Order affirmed.

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

Date: 11/18/2026