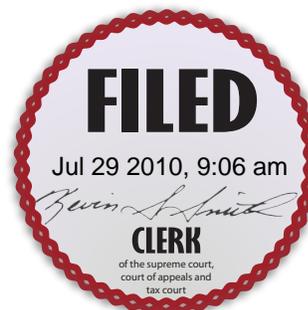


Pursuant to Ind.Appellate Rule 65(D), this Memorandum Decision shall not be regarded as precedent or cited before any court except for the purpose of establishing the defense of res judicata, collateral estoppel, or the law of the case.



ATTORNEYS FOR APPELLANT:

ATTORNEY FOR APPELLEE:

**STEVEN L. LANGER**  
**TARA M. WOZNAK**  
Langer & Langer  
Valparaiso, Indiana

**KRISTINA J. JACOBUCCI**  
LaPorte, Indiana

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**IN THE  
COURT OF APPEALS OF INDIANA**

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DONNA DEMKO,

Appellant-Respondent,

vs.

JEFFREY P. DEMKO,

Appellee-Petitioner,

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No. 64A03-0811-CV-550

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APPEAL FROM THE PORTER SUPERIOR COURT  
The Honorable Steven E. King, Special Judge  
Cause No. 64D01-0109-DR-7382

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**July 29, 2010**

**MEMORANDUM DECISION ON REHEARING - NOT FOR PUBLICATION**

**MAY, Judge**

In *Demko v. Demko*, No. 64A03-0811-CV-550, we reviewed rulings on motions the parties had made to the trial court regarding child support, custody, and other matters. In her petition for rehearing, the appellant-respondent Donna Demko asks us to revise a footnote stating she had waived an issue she raised on appeal. We grant rehearing for that purpose and reaffirm our prior holding.

In our opinion we “reject[ed] Donna’s suggestion that we should decide the trial court erred if it had meant to include maintenance payments in her income when computing child support,” (slip op. at 9 n.9), in part because we found such argument waived for Donna’s failure to raise it during the hearing. In her brief on rehearing, Donna asserted that issue was raised below, and she directed us to parts of a “supplemental transcript” that would so reflect. But no such “supplemental transcript” was included in the record on appeal.

We issued an order that Donna show such transcript was filed with this court. It was ultimately determined the supplemental transcript had been filed with the trial court but, apparently due to an inadvertent error, it was not included in the appellate record that was provided this court.

The supplemental transcript reflects Donna did raise in the trial court the issue whether maintenance payments should have been included in her income for purposes of computing child support. We accordingly grant rehearing and modify our footnote to say:

Donna invites us to find the trial court erred to the extent it included maintenance payments in her income when computing child support. It is not clear from the record before us what the trial court used to calculate Donna's income, but nothing in the record suggests maintenance payments were to be included. As we remand for a re-determination of Donna's income, we need not address that allegation of error.

We instruct the trial court on remand to obtain signed child support worksheets from the parties. A child support worksheet must be completed and filed with the trial court, signed by the parties, and supported by documentation. *See* Ind. Child Support Guideline 3(B); *see also Payton v. Payton*, 847 N.E.2d 251, 253 (Ind. Ct. App. 2006) (explaining that since 1989, Indiana Child Support Guidelines have required, in all cases in which a court is requested to order support, both parents complete and sign, under penalty of perjury, a child support worksheet to be filed with the court verifying parents' incomes).

We grant rehearing and affirm our previous opinion.

BAKER, C.J., and BARNES, J., concur.