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Minn. Stat. § 480A.08, subd. 3 (2012).*

**STATE OF MINNESOTA
IN COURT OF APPEALS
A12-0379**

In Re the Matter of:
Cameron J. Anderson, petitioner,
Respondent,

vs.

Alyssa M. Erpelding,
Appellant.

**Filed January 22, 2013
Affirmed
Stauber, Judge**

Yellow Medicine County District Court
File No. 87-FA-09-254

Matthew B. Gross, Quarnstrom & Doering, P.A., Marshall, Minnesota (for respondent)

Douglas D. Kluver, Kluver Law Office and Mediation Center PLLC, Montevideo,
Minnesota (for appellant)

Considered and decided by Stauber, Presiding Judge; Schellhas, Judge; and
Collins, Judge.*

UNPUBLISHED OPINION

STAUBER, Judge

In this child-custody dispute, appellant-mother challenges a district court's order
concluding that the child's best interests would be met if the child resides with

* Retired judge of the district court, serving by appointment pursuant to Minn. Const. art.
VI, § 10.

respondent-father during the school year. Because the district court considered the statutory best-interest factors and the district court's findings are supported by the record, we affirm.

FACTS

Appellant Alyssa M. Erpelding and respondent Cameron J. Anderson are the parents of C.A., born August 28, 2006. In April 2010, the district court awarded the parties joint legal and joint physical custody of C.A., alternating physical custody on a weekly basis. The April 2010 order also prohibited either party from removing C.A. from the Yellow Medicine East School District for the purpose of changing the child's place of residence without the written consent of the other party or further order of the court. At the time of the order, both parties lived in the Clarkfield and Granite Falls area. In June 2010, appellant moved to Coon Rapids. Following appellant's move, the parties maintained the alternating-week custody schedule.

In the summer of 2011, modification of the current schedule became necessary because appellant's move to Coon Rapids and the child's enrollment in kindergarten made the alternating-week schedule impractical. Appellant moved for an order designating her residence in Coon Rapids as the child's primary residence and modifying the parties' parenting-time schedule accordingly. Respondent similarly moved to modify the parenting-time schedule. In August 2011, the district court issued a temporary order, granting respondent custody during the school week because it believed deferring to the parties' agreement, which contemplates their child remaining in the immediate area, was in the child's best interests while the court considered the arguments.

The matter came before the court for an evidentiary hearing in late August. The district court conducted an analysis of the best-interest factors, finding that it was in the child's best interests to reside with respondent during the school year, with appellant having significant parenting time on non-school days, and modified the parenting-time schedule accordingly. This appeal follows.

D E C I S I O N

The district court has broad discretion in deciding parenting-time questions based on the best interests of the child and will not be reversed absent an abuse of discretion. *Olson v. Olson*, 534 N.W.2d 547, 550 (Minn. 1995); *Matson v. Matson*, 638 N.W.2d 462, 465 (Minn. App. 2002); *Braith v. Fischer*, 632 N.W.2d 716, 721 (Minn. App. 2001), *review denied* (Minn. Oct. 24, 2001). “A district court abuses [its] discretion [regarding parenting time] by making findings unsupported by the evidence or improperly applying the law.” *Hagen v. Schirmers*, 783 N.W.2d 212, 215 (Minn. App. 2010) (citing *Pikula v. Pikula*, 374 N.W.2d 705, 710 (Minn. 1985)). A district court's findings of fact, on which a parenting-time decision is based, will be upheld unless they are clearly erroneous. *Id.*

The guiding principle in all parenting-time determinations is the best interests of the child. *See* Minn. Stat. § 518.17, subd. 3(a)(3) (2012) (discussing custody determinations). In making its best-interests determination, the district court must consider all relevant factors, including thirteen statutorily enumerated factors. Minn. Stat. § 518.17, subd. 1(a) (2012) (listing factors that must be considered). Here, the district court made thorough findings regarding the factors and concluded that residing with respondent during the school year is in the child's best interests.

Appellant challenges the district court's analysis on six of the statutory best-interest factors. But notably, appellant does not challenge any of the factual findings on which the district court based its decision. Instead, appellant argues that the district court improperly weighed the evidence in making its determination and asks us to reweigh the evidence and issue a different decision.

We cannot provide the relief appellant seeks. The court of appeals is an error-correcting court. *Sefkow v. Sefkow*, 427 N.W.2d 203, 210 (Minn. 1988) (“The function of the court of appeals is limited to identifying errors and then correcting them.”). We may not substitute our judgment for that of the district court when reviewing parenting-time determinations. *See Lenz v. Lenz*, 430 N.W.2d 168, 169 (Minn. 1988) (reversing this court's custody decision because the record adequately supported district court's findings); *see also McCabe v. McCabe*, 430 N.W.2d 870, 873 (Minn. App. 1988) (recognizing that simply because the evidence could also have supported different findings does not mean the district court's findings constitute an abuse of discretion), *review denied* (Minn. Dec. 30, 1988). The district court thoroughly considered the statutorily enumerated best-interests factors and, to the extent they are challenged on appeal, the record evidence supports the district court's factual findings on those factors. *See Wilson v. Moline*, 234 Minn. 174, 182, 47 N.W.2d 865, 870 (1951) (stating that the function of an appellate court “does not require [it] to discuss and review in detail the evidence for the purpose of demonstrating that it supports the [district] court's findings” and an appellate court's “duty is performed when [it] consider[s] all the evidence, as we have done here, and determine[s] that it reasonably supports the findings”); *Peterka v.*

Peterka, 675 N.W.2d 353, 357–58 (Minn. App. 2004) (applying *Wilson* in a family-law appeal). Those findings, in turn, support the district court’s parenting-time decision, and appellant’s dissatisfaction with the decision is not a basis for reversal.

Furthermore, we stated in *Vangness v. Vangness* that “current law leaves scant if any room for an appellate court to question the [district] court’s balancing of best-interests considerations.” 607 N.W.2d 468, 477 (Minn. App. 2000). Because the district court’s determination is supported by defensible findings addressing the relevant best-interests factors, it was not an abuse of discretion. *See id.* (stating that, under present state of law, “there is no articulated, specific standard of law available for use of the appellate court when reviewing whether a best-interests determination . . . constitutes an abuse of [district] court discretion or misapplication of the law”).

Affirmed.