

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE

FILED
January 14, 1999
Cecil Crowson, Jr.
Appellate Court
Clerk

PAMELA ANN DRINNON BROOKS,)C/A NO. 03A01-9801-CH-00008
)
Plaintiff-Appellant,))
)
)
)
v.)APPEAL AS OF RIGHT FROM THE
)HAMBLEN COUNTY DOMESTIC RELATIONS COURT
)
)
)
)
JACK THOMAS BROOKS, JR.,)
)HONORABLE JOYCE M. WARD,
Defendant-Appellee.)JUDGE

For Appellant

For Appellee

JIM W. STAMBAUGH
Stambaugh Law Office
Morristown, Tennessee

JILL R. TALLEY
Dandridge, Tennessee

MEMORANDUM OPINION

AFFIRMED AND REMANDED

Susano, J.

Pamela Ann Drinnon Turner, formerly Brooks, filed a post-divorce petition seeking sole custody of the parties' minor child, William Clayton Brooks (DOB: October 5, 1990). The trial court held, in effect, that there had not been a sufficient change in circumstances to warrant a change in the joint custody arrangement previously decreed by the court. It denied the petition and Mrs. Turner appealed, arguing that the evidence preponderates against the trial court's findings.

A trial court has broad discretion regarding a custody determination. *Brumit v. Brumit*, 948 S.W.2d 739, 740 (Tenn.App. 1997). We will not disturb such a determination unless the record reflects an abuse of that discretion. *Id.*

We find and hold that the evidence does not preponderate against the trial court's determination that the facts before it did not warrant a change in the custodial arrangement. We find no abuse of discretion in this case. Accordingly, the judgment of the trial court is affirmed. Our affirmance is pursuant to the provisions of Rule 10(b), Rules of the Court of Appeals.¹ Costs on appeal are taxed against the

¹Rule 10(b), Rules of the Court of Appeals, provides as follows:

The Court, with the concurrence of all judges participating in the case, may affirm, reverse or modify the actions of the trial court by memorandum opinion when a formal opinion would have no

appellant. This case is remanded to the trial court for enforcement of that court's judgment and collection of costs assessed below, all pursuant to applicable law.

Charles D. Susano, Jr., J.

CONCUR:

Houston M. Goddard, P.J.

Herschel P. Franks, J.

precedential value. When a case is decided by memorandum opinion it shall be designated "MEMORANDUM OPINION," shall not be published, and shall not be cited or relied on for any reason in a subsequent unrelated case.