

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA  
THIRD JUDICIAL DISTRICT AT ANCHORAGE

GARLAND C. PERRY, )  
 )  
Appellant, )  
 )  
vs. )  
 )  
CHILD SUPPORT SERVICES )  
DIVISION, STATE OF ALASKA, )  
 )  
Appellee. )  
\_\_\_\_\_ )

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Case No. 3AN-11-05894CI

**SUPPLEMENTAL ORDER ON APPEAL**

**INTRODUCTION**

On May 10, 2012, this court ruled on Mr. Perry's Appeal from the Office of Administrative Hearing's ("OAH") October 6, 2010 Decision and Order and affirmed CSSD's determination that FICA and State Unemployment Taxes should not be deducted from Mr. Petty's gross income. One issue remained unresolved: whether CSSD abused its discretion in calculating the amount of child support Mr. Perry actually paid for Tyler, his older child. The court scheduled a trial *de novo* on this discreet issue for May 29, 2012.

On May 21, 2012, CSSD submitted with its Hearing Brief an Affidavit of Findings outlining CSSD's Policy for Calculating Prior Child Support Credit and detailing how CSSD had applied the policy in Mr. Perry's case.

The May 29, 2012 hearing was scheduled for 3:30 p.m., Alaska time. CSSD was present. Although the court had given Mr. Perry permission to appear telephonically, he failed to do so. At around 3:40 p.m., the court called

CS Order

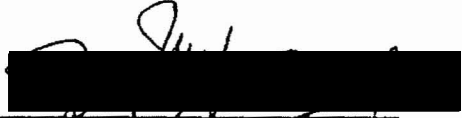
the phone number on file for Mr. Perry, but did not reach him. The court began the hearing at around 3:45 p.m., noting Mr. Perry's failure to appear.

Given the affidavit CSSD submitted, and considering that Mr. Perry has not submitted to the court any evidence to the contrary, this court is satisfied that CSSD has accurately calculated the amount of child support Mr. Perry actually paid for Tyler. Accordingly, the court affirms CSSD's determination that, effective July 1, 2010, Mr. Perry's prior child support credit for actual payments made for Tyler, was \$119.81.<sup>1</sup>

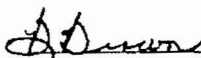
#### CONCLUSION

CSSD's calculation of Mr. Perry's prior child support credit is AFFIRMED.

DATED this 29 day of May 2012 at Anchorage, Alaska.

  
SEN K. TAN  
Superior Court Judge

I certify that on 5/30/12 a copy of the above was mailed to each of the following at their addresses of record:

  
Judicial Assistant

B. Perry  
K. Poe  
A. De - K. Lee

<sup>1</sup> Although in its Hearing Brief CSSD asserts that the credit was \$119.61, its previous filings on appeal stated that the credit was \$119.81. CSSD alternately states that the credit equals \$119.61 and \$119.81 in Exhibit 1. Using CSSD's calculation of actual child support paid (\$1,437.66), the credit totals \$119.81 ( $\$1,437.66/12$ ).