

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
December 11, 2001 Session

SUSAN KLAMON WHITON (LEEDOM) v. ALAN LOUIS WHITON

**Appeal from the Circuit Court for Sevier County
No. 88-109-I Ben W. Hooper, III, Judge**

FILED JUNE 27, 2003

No. E2003-01279-COA-RM-CV

Opinion on Remand from the Supreme Court.

HOUSTON M. GODDARD, P.J., delivered the opinion of the court, in which HERSCHEL P. FRANKS, J. and WILLIAM H. INMAN, SR.J., joined.

Sarah Yarber Sheppard and Jason H. Long, Knoxville, Tennessee, for the Appellant, Alan L. Whiton

Dale Alan Everett, Knoxville, Tennessee, for the Appellee, Susan K. Whiton (Leedom)

Paul G. Summers, Attorney General & Reporter, and Kim Beals, Assistant Attorney General, Office of the Attorney General, Nashville, Tennessee, for the Intervening Petitioner, State of Tennessee

SUPPLEMENTARY OPINION

Upon appeal to the Supreme Court, it reversed our determination that the guidelines promulgated with regard to child support were unconstitutional and remanded the case to this Court for reconsideration in light of the recently-released opinion in *Gallaher v. Elam*, _____ S.W.3d _____ 2003 WL 2010731 (Tenn. May 2, 2003).

Upon consideration of *Gallaher* as directed by the Supreme Court, we conclude the Trial Court's award of child support was appropriate and adopt its determination as the opinion of this Court.

Costs of appeal are adjudged one-half against Susan Klamon Whiton (Leedom) and one-half against Alan Louis Whiton.

HOUSTON M. GODDARD, PRESIDING JUDGE