

IN THE COURT OF APPEALS OF TENNESSEE
AT KNOXVILLE
March 7, 2011 Session

FREDA MICHELLE HUMBARD MILLER v. STEVEN DWAYNE MILLER

Appeal from the Circuit Court for Jefferson County
No. 20,939-I Ben W. Hooper II, Judge

No. E2010-00225-COA-R3-CV- FILED - APRIL 29, 2011

CHARLES D. SUSANO, JR., concurring.

I concur in the decision of the majority opinion to vacate so much of the trial court's judgment as pertains to the issue of child support. I also concur in the majority's decision to remand this case to the trial court with respect to the issue of child support. I write separately to express my view that the absence of the supporting worksheets in the record transmitted to us does not necessarily mean that the trial court failed to utilize these worksheets in arriving at the respective amounts of child support decreed in the court's judgment. If such worksheets were utilized, and employed correctly, in arriving at the trial court's child support decrees and if those worksheets are still available, there is no reason for the trial court to again make the necessary calculations. All that would be required is the filing of the worksheets "as part of the official record." *See* Tenn. Comp. R. & Regs. ch. 1240-2-4-.04(1) (2008).

Accordingly, I concur in the majority opinion.

CHARLES D. SUSANO, JR., JUDGE