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IN THE
COURT OF APPEALS OF INDIANA

Kalanu Carter,
Appellant-Petitioner

v.

Ryan Carter,
Appellee-Respondent.

December 20, 2022

Court of Appeals Case No.
21A-DC-2395

Appeal from the Miami Superior
Court

The Honorable Daniel C. Banina,
Judge

Trial Court Cause No.
52D02-2001-DC-2

Pyle, Judge.

Statement of the Case

- [1] Kalanu Carter (“Mother”) appeals the child custody order entered following the dissolution of her marriage to Ryan Carter (“Father”). Mother specifically argues that the trial court abused its discretion when it: (1) granted Father’s motion to re-open the evidence after the conclusion of the final hearing; (2) awarded primary physical custody of the parties’ daughter to Father; and (3)

ordered Mother to pay \$20 per week in child support. Concluding that the trial court did not abuse its discretion when it granted Father’s motion to re-open the evidence after the conclusion of the final hearing or when it awarded primary physical custody of the parties’ daughter to Father, we affirm those portions of the trial court’s order. However, we conclude that the trial court abused its discretion when it ordered Mother to pay \$20 per week in child support. We, therefore, affirm in part, reverse in part, and remand with instructions for the trial court to enter an order that Mother is not required to pay child support because the adjustments to her child support obligation exceed the obligation.

[2] We affirm in part, reverse in part, and remand with instructions.

Issues

1. Whether the trial court abused its discretion when it granted Father’s motion to re-open the evidence after the conclusion of the final hearing.
2. Whether the trial court abused its discretion when it awarded primary physical custody of the parties’ daughter to Father.
3. Whether the trial court abused its discretion when it ordered Mother to pay \$20 per week in child support.

Facts

[3] Mother and Father were married in October 2015 and are the parents of a daughter, R.C. (“R.C.”), who was born in December 2017. The family lived in Miami County, and Mother initially stayed home with R.C. while Father worked. When R.C. was six months old, Mother began working part-time.

Either Maternal Grandmother (“Maternal Grandmother”) or Paternal Grandmother (“Paternal Grandmother”) took care of R.C. while Mother and Father worked. In August 2019, Mother began taking classes to become a registered medical assistant.

[4] In November 2019, Father learned that Mother had become involved in a relationship with Dillon Young (“Young”), who lived in Cincinnati. In January 2020, Mother filed a dissolution petition. Also in January 2020, Father filed a counter dissolution petition as well as a petition requesting a provisional order for custody, parenting time, and child support. In March 2020, Father filed a petition asking the trial court to enjoin Mother from relocating R.C. to Cincinnati.

[5] The trial court held a hearing on all motions in April 2020. At the time of the hearing, Mother, Father, and R.C. were still living together in the marital residence. Mother planned to move out of the residence as soon as she found another place to live.

[6] At the hearing, Mother asked the trial court to award her provisional custody of R.C. Mother also asked the trial court to allow her to relocate R.C. to Cincinnati because Mother had recently completed the medical assistant program and had accepted a job there. Mother acknowledged that she had not pursued jobs in Miami County and the surrounding area. Mother further explained that Young lived in Cincinnati and that she and R.C. had frequently made the nearly six-hour round-trip drive to Cincinnati to spend weekends with

him. Specifically, Mother acknowledged that from December 2019 through March 2020, she had made ten separate weekend visits to Cincinnati. Mother further acknowledged that she had no family in Cincinnati and explained that when she started her new job, Young's mother would provide child care for R.C.

- [7] Also at the hearing, Father's counsel questioned Mother about a list of Young's "cons" that she had compiled at the recommendation of her therapist. (Supp. Ex. Vol. 3 at 7). Mother's list included the following "cons[.]" (1) not Christian; (2) smokes weed a little too much; (3) plays video games; (4) sleeps too much; (5) cheated on ex with Mother; (6) not used to kids/[R.C.]; (7) super stressful job; and (8) not very close to mom. (Supp. Ex. Vol. 3 at 7).
- [8] Following the hearing, the trial court told Mother that it was going to award her provisional custody of R.C. but that it was not going to allow her to relocate R.C. to Cincinnati. In addition, the trial court awarded Father parenting time consistent with the Indiana Parenting Time Guidelines ("the IPTG") and ordered him to pay Mother \$145 per week in child support as soon as Mother moved out of the marital residence.
- [9] Immediately following the hearing, Mother told Father, "I'll marry [Young], have a kid with him, file a petition to relocate, and move out of the state so you can't ever see [R.C.]" (Ex. Vol. 4 at 19). The day after the hearing, Mother took R.C. on a six-day visit to Young's home in Cincinnati.

[10] Two weeks after the hearing, the trial court issued a detailed written order granting Father’s petition to enjoin Mother from relocating R.C. to Cincinnati. The trial court noted that R.C.’s family support was in Miami County and that although Mother had obtained a job in Cincinnati, there were similar job opportunities available in Miami County. The trial court further clarified that Mother was prohibited from removing R.C. from the Miami County area. Mother’s counsel explained to Mother that, pursuant to the trial court’s order, Mother could no longer take R.C. on trips to Cincinnati.

[11] At the end of April 2020, Mother and R.C. moved into her estranged father’s (“Maternal Grandfather”) home, and Mother got a job at a nearby hospital. Either Maternal Grandmother or Paternal Grandmother provided child care for R.C. while both parents worked. In May 2020, Mother and Father became involved in an argument at Paternal Grandmother’s home. Mother “forcefully rip[ped] [R.C.] out of [Father’s] hands and scream[ed] at [him] as [he] was walking away[.]” (Tr. Vol. 2 at 135-36). Mother then screamed at Father, “[y]ou can count on getting [R.C.] at 2:00 p.m. instead of 12:00 p.m. tomorrow . . . because I only have to give you ten hours with her.” (Tr. Vol. 2 at 136). R.C. was crying, and Father walked away in an attempt to defuse the situation.

[12] During the summer of 2020, Mother maintained her relationship with Young and continued to visit him in Cincinnati during Father’s weekends with R.C. Although Mother often returned late to Miami County, she wanted to pick up R.C. at Father’s home when she returned. For example, in June 2021, Mother telephoned Father at 8:30 p.m. and told him that she was going to be late

picking up R.C. Father responded that he assumed that Mother was just leaving Cincinnati and that if that were the case, he and R.C. would be asleep when Mother arrived in Miami County. Father asked Mother to leave R.C. at his home for the night. Mother responded, “I am picking her up. You do not get to tell me I can’t. I will call the police. It’s past your allotted time, so I’ll be picking her up.” (Tr. Vol. 2 at 131). Mother arrived at Father’s house at 11:00 p.m. and woke up R.C. to take her to Maternal Grandfather’s home.

[13] In July 2020, Mother told Father that she was taking R.C. to Tennessee and that Maternal Grandmother and Mother’s sister would also be going on the trip. Father later learned that Mother and R.C. had met Young in Tennessee.

[14] In September 2020, Maternal Grandfather told Mother that she and R.C. had to leave his home. Because Mother and R.C. had nowhere else to go, Father invited them to stay at his home. Father’s only request was that Mother not be involved in a relationship while she was staying at his home. Mother told Father that she and Young were no longer seeing each other and that she would not become involved in any other relationships.

[15] The following month, October 2020, the trial court held a dissolution hearing. Mother and Father had already agreed to share joint legal custody of R.C. They had also reached an agreement on dividing their property. The issues before the court were R.C.’s physical custody, parenting time, and child support. At the hearing, the trial court heard the facts as set forth above.

[16] In addition, Mother testified that she and R.C. were planning to move in with Mother's aunt. Mother asked the trial court to award her primary physical custody of R.C. Father also asked the trial court to award him primary physical custody of R.C. Paternal Grandfather and Father's friend, who also knew Mother, both testified that Father would provide a more stable home for R.C. Paternal Grandfather also pointed out that Mother had used R.C. as a pawn against Father in the past. At the end of the hearing, the trial court asked both parents to submit proposed dissolution decrees by December 8, 2020.

[17] On December 7, 2020, Father filed a petition asking the trial court to re-open the evidence. In this petition, Father alleged that in November 2020, following the dissolution hearing, Mother had re-initiated her relationship with Young and had "threatened [Father] that she would enroll in the military so that she could move her and [R.C.] away from [Father] and the parties' families, in an effort to circumvent the Court's existing order and to prevent [Father] from seeing [R.C.]" (App. Vol. 2 at 66). Father further alleged that when he had asked Mother to vacate the marital residence, Mother had "refused and threatened to levy false, sexual assault allegations against [Father] if he tried to make her leave the marital residence." (App Vol. 2 at 66). Father also alleged that after Mother had packed her possessions, she had "refused to disclose where she and [R.C.] would be living. [Father] picked up [R.C.], and [Mother] then escalated the conflict when she physically and verbally attacked [Father] in the presence of . . . 2-year-old [R.C.]. [Mother] hit [Father] several times and shoved [him] . . . while [he] was holding [R.C.]" (App. Vol. 2 at 66-67). In

addition, Father alleged that Mother had “repeatedly cursed at [Father] and his parents in the presence of [R.C.]” (App. Vol. 2 at 67). Father alleged that Mother’s behavior had placed R.C. at risk for physical and emotional harm and that R.C. was crying during the incident. According to Father, Mother and R.C. had left his house, and he believed that Mother and R.C. were living at Maternal Grandmother’s house, which did not have appropriate accommodations for R.C.

[18] The following day, Mother filed an objection to Father’s petition to re-open the evidence. In this petition, Mother argued that “any evidence occurring since the hearing on October 12, 2020 c[ould] be addressed in a petition to modify.” (App. Vol. 2 at 69).

[19] The trial court held a hearing on Father’s petition to re-open the evidence in April and August 2021. At the April hearing, Father testified that he was concerned for R.C.’s safety and well-being. Father further testified about the allegations set forth in his petition. Father specifically explained that Mother had threatened to report that he had sexually abused her if he did not allow her to remain in his home after he had learned that she had re-initiated her relationship with Young. Father further explained that Mother had threatened to enter the military so that she would be able to take R.C. with her when the military relocated her to another state. In addition, Father described the November 2020 incident where Mother had physically attacked him while he was holding R.C. and had cursed at him and his parents in R.C.’s presence. According to Father, Maternal Grandmother; her husband, maternal Step-

Grandfather (“Maternal Step-Grandfather”); Paternal Grandmother; and paternal grandfather (“Paternal Grandfather”) had also been present during the attack. Father further testified that he believed that Mother and R.C. were living at Maternal Grandmother and Maternal Step-Grandfather’s house. Father expressed concern that there were seven or eight people living in the house, which had only three bedrooms and one bathroom. In addition, Father was concerned that the house was dirty and cluttered. Father further expressed his concern that Mother would attempt to relocate R.C. to Cincinnati.

[20] At the August 2021 hearing, Father further testified that in July 2021, he had asked Mother if he could take R.C. on a trip to South Carolina to help friends from church with a move. Father had specifically wanted to stop and explore the mountains in the area with R.C. on the way home. Mother, however, had refused to allow Father to take R.C. to South Carolina. Instead, Mother had taken R.C. to Cincinnati to visit Young.

[21] In addition, maternal and paternal grandparents testified about the incident where Mother had physically attacked Father. Specifically, Paternal Grandfather testified that he had seen Mother physically attack Father while Father was holding R.C. Paternal Grandmother testified that she had not seen the physical attack because she had become upset and had gone outside after Mother had accused her of being a bad mother and not raising her children the right way. Maternal Step-Grandfather testified that he had not seen the physical altercation because he had been going up the stairs but that he had heard Mother yelling and screaming. He had also heard R.C. crying. Maternal

Step-Grandfather agreed that it was not in R.C.'s best interests to be exposed to such conduct. He further testified that when Mother and R.C had returned to his home after the altercation, R.C. was still crying and whimpering. Maternal Grandmother testified that she had not seen Mother being physically aggressive but that she had heard Mother screaming and yelling.

[22] Mother denied physically attacking Father. Further, Mother acknowledged that she had knowingly violated the trial court's order when she took R.C. to Cincinnati to visit Young while Father was in South Carolina. Mother also testified that she had taken the Armed Services Vocational Aptitude Battery test in November 2020. When asked if she would take R.C. "out of the current area that the Judge had ordered her to stay" if she went into the military, Mother responded, "yes." (Tr. Vol. 3 at 99). Mother also asked the trial court to lift the restriction on relocating R.C. Mother explained that she and Young had discussed marriage and her relocation to Cincinnati.

[23] In October 2021, the trial court issued a detailed twenty-two-page order, which granted Father's motion to re-open the evidence. The trial court also applied each of the child custody statutory factors set forth in INDIANA CODE § 31-17-2-8 to the facts of the case and concluded that Mother had "consistently demonstrated that [R.C.]'s care and wellbeing [was] not her primary focus." (App. Vol. 2 at 16). Rather, the trial court concluded that during the nineteen-month pendency of the case, Mother had "continued to maintain and pursue a romantic relationship with [Young] instead of focusing upon what [was] in the best interests of [R.C.]" (App. Vol. 2 at 19). In addition, the trial court pointed

out that during the pendency of the case, Mother “still did not have a stable residence of her own, despite being employed and receiving \$145 per week of child support from [Father].” (App. Vol. 2 at 21). On the other hand, the trial court pointed out that the parties had stipulated that Father would receive the marital residence. In considering the mental health of the parties, the trial court pointed out that Mother had “used [R.C.] as a weapon against [Father] and . . . ha[d] been unable to control her conduct and anger while in [R.C.]’s presence.” (App. Vol. 2 at 23). The trial court further concluded that Father “would provide a stable environment that would promote the good physical and mental health of [R.C.]” (App. Vol. 2 at 24). Based on its analysis of the statutory factors, the trial court awarded Father primary physical custody of R.C.

[24] The trial court further awarded Mother parenting time with R.C. consistent with the IPTG. The trial court also ordered that Mother was not to remove R.C. from Indiana without Father’s permission.

[25] In addition, the trial court attached to its order Mother’s tendered child support worksheet, which had been prepared by Mother’s counsel. That worksheet listed Father’s weekly gross income as \$1,009.80 and Mother’s weekly gross income as \$645.11. Based on those weekly gross incomes, Father’s basic child support obligation was \$221.14 per week, and Mother’s basic child support obligation was \$141.91. The child support worksheet also included a \$17.77 adjustment for Father for R.C.’s portion of his weekly health insurance premium, and a \$161.41 adjustment for Mother. Mother’s adjustment included a \$118.28 adjustment for R.C.’s portion of Mother’s weekly health insurance

premium and a \$43.13 parenting time credit for Mother's 96-100 overnight visits with R.C. Based on these figures, Father's recommended child support obligation was \$20 per week, and Mother did not have a recommended child support obligation because the \$161.41 adjustment to her child support obligation exceeded her \$141.91 obligation. The trial court ordered Mother to pay Father \$20 per week in child support.

[26] Mother now appeals.

Decision

[27] At the outset, we note that there is a well-established preference in Indiana for granting latitude and deference to the trial court in family law matters. *Steele-Giri v. Steele*, 51 N.E.3d 119, 124 (Ind. 2016). Appellate courts “are in a poor position to look at a cold transcript of the record, and conclude that the trial judge, who saw the witnesses, observed their demeanor, and scrutinized their testimony as it came from the witness stand, did not properly understand the significance of the evidence.” *Id.* (cleaned up). “On appeal it is not enough that the evidence might support some other conclusion, but it must positively require the conclusion contended for by appellant before there is a basis for reversal.” *Id.* (cleaned up). “Appellate judges are not to reweigh the evidence nor reassess witness credibility, and the evidence should be viewed most favorably to the judgment.” *Id.* (cleaned up).

[28] We now turn to the issues in this case. Mother argues that the trial court abused its discretion when it: (1) granted Father's motion to re-open the

evidence after the conclusion of the final hearing; (2) awarded primary physical custody of the parties' daughter to Father; and (3) ordered Mother to pay \$20 per week in child support. We address each of her contentions in turn.

1. Father's Motion to Re-Open the Evidence

[29] Mother first argues that the trial court abused its discretion when it granted Father's motion to re-open the evidence after the conclusion of the final hearing. We disagree.

[30] "Evidence must be offered during the course of a trial, and it is a matter of discretion whether a trial court will permit a party to present additional evidence after the close of all evidence." *Paternity of M.S.*, 146 N.E.3d 951, 957 (Ind. Ct. App. 2020) (citing *In re D.Q.*, 745 N.E.2d 904, 908 (Ind. Ct. App. 2001)). We will reverse the trial court's decision only if there is a clear abuse of discretion. *M.S.*, 146 N.E.3d at 957. Reversal must be predicated upon an actual abuse of discretion and a showing of prejudice to the substantial rights of the complaining party. *Alvarado v. State*, 89 N.E.3d 442, 447 (Ind. Ct. App. 2017), *trans. denied*. "The trial of a case is not a mere game for testing the skills and vigilance of contesting lawyers, but is an investigation instituted for the purpose of ascertaining truth." *Moriarty v. Moriarty*, 150 N.E.3d 616, 628 (Ind. Ct. App. 2020) (quoting *Sanders v. Ryan*, 112 Ind. App. 470, 41 N.E.2d 833, 836 (1942)), *trans. denied*.

[31] Here, Mother specifically argues that the trial court abused its discretion in granting Father's motion to re-open the evidence because "testimony regarding

a disagreement between the parties that occurred after the final hearing . . . was cumulative of other evidence describing the many conflicts and disagreements between the parties.” (Mother’s Br. 28). Mother’s argument fails for three reasons.

[32] First, Mother has waived appellate review of this issue because she failed to argue at the hearing on Father’s motion that the additional evidence was cumulative. *See Indiana Bureau of Motor Vehicles v. Gurtner*, 27 N.E.3d 306, 311 (Ind. Ct. App. 2015) (explaining that an argument presented for the first time on appeal is waived for the purposes of appellate review).

[33] Second, waiver notwithstanding, Mother has failed to either allege or show how the additional evidence prejudiced her substantial rights. Our review of the record reveals that Mother had the opportunity to cross-examine Father, maternal grandparents, and paternal grandparents about the additional evidence that Mother had physically attacked Father while he was holding R.C. and had screamed and cursed at paternal grandparents in R.C.’s presence. Mother also had the opportunity to deny that she had physically attacked Father. *See D.Q.*, 745 N.E.2d at 909 (affirming the trial court’s decision to re-open the case reasoning that the State had failed to demonstrate how the additional evidence had resulted in prejudice).

[34] Third, the additional evidence was not cumulative. “Evidence is cumulative if it supports a fact established by existing evidence and is of the same kind or character as the previously admitted evidence.” *Richardson v. State*, 189 N.E.3d

629, 636 (Ind. Ct. App. 2022). Mother is correct that evidence at the final hearing described the many conflicts and disagreements between the parties. However, none of those conflicts or disagreements involved Mother physically attacking Father or screaming and cursing at paternal grandparents. This additional evidence revealed that Mother’s behavior had continued to escalate to the point where she physically attacked Father and included paternal grandparents in the conflict. The trial court did not abuse its discretion in granting Father’s motion to re-open the evidence after the conclusion of the final hearing.

2. Child Custody

[35] Mother also argues that the trial court abused its discretion when it awarded primary physical custody of R.C. to Father. Again, we disagree.

[36] In an initial custody determination, both parents are presumed equally entitled to custody, and “[t]he court shall determine custody and enter a custody order in accordance with the best interests of the child.” I.C. § 31-17-2-8. There is no presumption favoring either parent. I.C. § 31-17-2-8. *See also Kondamuri v. Kondamuri*, 852 N.E.2d 939, 945 (Ind. Ct. App. 2006). In determining the child’s best interests, the trial court must consider all relevant factors, including specifically the following:

- (1) The age and sex of the child.
- (2) The wishes of the child’s parent or parents.

(3) The wishes of the child, with more consideration given to the child's wishes if the child is at least fourteen (14) years of age.

(4) The interaction and interrelationship of the child with:

(A) the child's parent or parents;

(B) the child's sibling; and

(C) any other person who may significantly affect the child's best interests.

(5) The child's adjustment to the child's:

(A) home;

(B) school; and

(C) community.

(6) The mental and physical health of all individuals involved.

(7) Evidence of a pattern of domestic or family violence by either parent.

(8) Evidence that the child has been cared for by a de facto custodian....

I.C. § 31-17-2-8. The trial court's decisions on child custody are reviewed only for an abuse of discretion. *Sabo v. Sabo*, 858 N.E.2d 1064, 1068 (Ind. Ct. App. 2006).

[37] Here, our review of the evidence reveals that both Mother and Father wanted primary physical custody of then-three-year-old R.C. Our review of the evidence further reveals that during the pendency of the proceedings, Mother had been more focused on pursuing her relationship with Young than she had been on R.C.'s best interests. Specifically, in early 2020, Mother took the then-

two-year-old R.C. on multiple six-hour car trips to Cincinnati. When the trial court ordered an end to R.C.'s trips to Cincinnati, Mother visited Young during Father's parenting time weekends. During those trips, Mother often returned late at night and chose to wake up R.C. and take her to wherever Mother was living at the time rather than letting the young child sleep through the night at Father's home. In addition, Mother frequently told Father that she was going to marry Young and relocate R.C. or that she was going to join the military and relocate R.C. Indeed, Mother has already taken the Armed Services Vocational Aptitude Battery test and testified at the August 2021 hearing that she planned to relocate R.C. if she joined the military.

[38] The evidence further reveals that during the nearly two-year pendency of the proceedings, despite having a job and receiving \$145 per week in child support, Mother never obtained stable housing. Specifically, in April 2020, Mother and R.C. moved in with Paternal Grandfather, from whom Mother had been estranged. After Paternal Grandfather had asked Mother and R.C. to leave his home, Mother planned to live with an aunt. When that arrangement did not work out, Father allowed Mother and R.C. to return to the marital residence because he was concerned that they had nowhere else to stay. When Mother and R.C. left Father's home, they moved into Maternal Grandmother's three-bedroom home, where seven or eight other people lived and which was dirty and cluttered. On the other hand, Father is able to provide R.C. with stable housing in the marital residence.

[39] Our review of the evidence further reveals that Mother has also demonstrated behaviors that are detrimental to R.C.'s physical and mental health. In May 2020, Mother forcefully ripped R.C. out of Father's arms and screamed at him, causing R.C. to cry. Six months later, Mother's behavior had escalated to the point that she physically attacked Father while he was holding R.C. and screamed and cursed at Paternal Grandparents in the presence of R.C. Mother's behavior again caused R.C. to cry during the altercation and throughout the night after she had left Father's home.

[40] This evidence supports the trial court's award of primary physical custody of R.C. to Father. The trial court did not abuse its discretion.

3. Child Support

[41] Lastly, Mother argues that the trial court abused its discretion when it ordered her to pay \$20 per week in child support. A trial court's calculation of child support is presumed valid, and we will review its decision only for an abuse of discretion. *Thompson v. Thompson*, 811 N.E.2d 888, 924 (Ind. Ct. App. 2004), *trans. denied*. An abuse of discretion occurs when the decision is clearly against the logic and effect of the facts and circumstances before the court, including any reasonable inferences to be drawn therefrom. *Barber v. Henry*, 55 N.E.3d 844, 850 (Ind. Ct. App. 2016).

[42] Here, our review of the evidence reveals that the trial court used Mother's tendered child support worksheet. That worksheet listed Father's weekly gross income as \$1,009.80 and Mother's weekly gross income as \$645.11. Based on

those weekly gross incomes, Father's basic child support obligation was \$221.14 per week, and Mother's basic child support obligation was \$141.91. The child support worksheet also included a \$17.77 adjustment for Father for R.C.'s portion of his weekly health insurance premium, and a \$161.41 adjustment for Mother. Mother's adjustment included a \$118.28 adjustment for R.C.'s portion of Mother's weekly health insurance premium and a \$43.13 parenting time credit for Mother's 96-100 overnight visits with R.C. Based on these figures, Father's recommended child support obligation was \$20 per week, and Mother did not have a recommended child support obligation because the \$161.41 adjustment to her child support obligation exceeded the \$141.91 obligation.

[43] The parties do not challenge the trial court's use of Mother's tendered child support worksheet or the numbers included on that worksheet. Rather, Mother's sole argument is that the trial court abused its discretion when it ordered her to pay \$20 per week in child support. According to Mother, she had no recommended child support obligation because her adjustments exceed her obligation. Mother is correct.

[44] In *Grant v. Hager*, 853 N.E.2d 167, 172 (Ind. Ct. App. 2006), *trans. granted*, *vacated in part on other grounds*, *Grant v. Hager*, 868 N.E.2d 801 (Ind. 2007), this Court recognized that "where the noncustodial parent makes less money than the custodial parent, and where the Parenting Time Credit is applied to offset the noncustodial parent's support obligation, it is possible for the calculations under the Child Support Worksheet to result in a *negative* total amount of support owed by the noncustodial parent." (Emphasis in the original). That is

what happened in this case. Because Mother’s adjustments, including her payment for R.C.’s portion of Mother’s weekly health insurance premium and her parenting time credit, exceed her recommended child support obligation, the trial court abused its discretion when it ordered Mother to pay Father \$20 per week in child support. We therefore reverse and remand with instructions for the trial court to enter an order that Mother is not required to pay child support because the adjustments to her child support obligation exceed the obligation.¹

[45] Affirmed in part, reversed in part, and remanded with instructions.

Robb, J., and Weissmann, J., concur.

¹ Mother also argues that “[F]ather should pay support to [M]other in the sum of Twenty Dollars (\$20.00) per week.” (Mother’s Br. 26). Mother has waived appellate review of this issue because she has failed to support it with cogent argument and relevant authority. See *Himes v. Himes*, 57 N.E.3d 820, 829 (Ind. Ct. App. 2016) (holding that argument was waived for failure to cite authority or provide cogent argument), *trans. denied*. Waiver notwithstanding, we find no error. The Indiana Supreme Court has explained that a trial “court could order a custodial parent to pay child support to a non-custodial parent based on their respective incomes and parenting time arrangements if the court had concluded that it would be unjust not to do so and the court had made the written finding mandated by Child. Supp. R. 3.” *Grant*, 868 N.E.2d at 804. Here, the trial court chose not to order Father to pay Mother child support. This was a determination within the trial court’s discretion, and we find no abuse of that discretion.