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THE SUPREME COURT OF THE STATE OF ALASKA

JOHN L. PHILLIPS,)
) Supreme Court Nos. S-17202/17221
Appellant and Cross-Appellee,)
) Superior Court No. 3AN-15-07027 CI
v.)
) OPINION
BARBARA S. BREMNER-PHILLIPS,)
n/k/a BARBARA S. STANLEY,) No. 7495 – December 18, 2020
)
Appellee and Cross-Appellant.)
_____)

Appeal from the Superior Court of the State of Alaska, Third Judicial District, Anchorage, Andrew Guidi, Judge.

Appearances: Steven J. Priddle, Law Office of Steven J. Priddle, Anchorage, for Appellant and Cross-Appellee. Robin A. Taylor, Law Office of Robin Taylor, Anchorage, for Appellee and Cross-Appellant.

Before: Bolger, Chief Justice, Winfree, Maassen, and Carney, Justices. [Stowers, Justice, not participating.]

MAASSEN, Justice.

I. INTRODUCTION

A divorcing couple had a community property trust holding title to two rental properties — a fourplex and a mobile home park — that the husband had owned before marriage. Following trial the superior court divided the marital estate equally, awarding the rental properties to the husband and a large equalization payment to the

wife. Both parties appeal. The husband argues that the superior court erred when it found that a bank account in the names of the husband and the mobile home park was marital. The wife argues that the court erred in its interpretation of the Alaska Community Property Act when it held that income and appreciation from the rental properties in the community property trust remained the husband's separate property; she also argues that the court clearly erred in some findings of fact and abused its discretion when it failed to invade the husband's separate property in order to reach an equitable division.

We conclude that the superior court did not err in its interpretation of the relevant statutes, did not clearly err in its findings of fact, and did not abuse its discretion when dividing the marital estate. We therefore affirm the superior court's judgment.