

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

FRANK P. LARWA,

Appellant,

v.

Case No. 5D14-4039

DEPARTMENT OF REVENUE
O/B/O LYNNE M. ROUSH,

Appellee.

_____ /

Opinion filed June 26, 2015

Appeal from the Circuit Court
for Volusia County,
Shawn L. Briese, Judge.

Frank P. Larwa, Ormond Beach,
pro se.

Pamela Jo Bondi, Attorney General, and
William H. Branch, Assistant Attorney
General, Tallahassee, for Appellee.

PER CURIAM.

Frank Larwa appeals a final order that extended his child support obligation to his eighteen-year-old son. The Department of Revenue concedes error. Once a child is emancipated, the trial court loses subject matter jurisdiction to modify a child support obligation within the existing child support arrangement by extending support past age eighteen. Although an independent action may be brought to adjudicate support of an adult dependent child, that cause of action belongs to the dependent person, who may

bring the action in accordance with Florida Rule of Civil Procedure 1.210(b). See Dep't of HRS v. Holland, 602 So. 2d 652, 655 (Fla. 5th DCA 1992).

Here, because the supplemental petition was filed when Larwa's son was over eighteen years of age, the trial court lacked subject matter jurisdiction to extend Larwa's child support obligation. Accordingly, we reverse.

REVERSED.

PALMER, COHEN, and BERGER, JJ., concur.