

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

JANUARY TERM 2013

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

JOHN A. OLIVER,

Appellant,

v.

Case No. 5D11-2770

MARY ANNE OLIVER,

Appellee.

_____ /

Opinion filed March 15, 2013

Appeal from the Circuit Court
for St. Johns County,
Clyde E. Wolfe, Judge.

Sean P. Sheppard, of J. Scott Gunn, P.A.,
Ft. Lauderdale, for Appellant.

A. Russell Smith, of A. Russell Smith,
P.A., Jacksonville, and Michael J. Korn
and Mary C. Coxe, of Korn & Zehmer,
P.A., Jacksonville, for Appellee.

PER CURIAM.

John A. Oliver, the former husband, appeals a final judgment dissolving his marriage to Mary Anne Oliver, the former wife. We affirm the final judgment, but modify one provision. The final judgment required the former husband to reimburse the former wife seventy-five percent of the cost of any medical expenses incurred by the minor or dependent children. We modify this provision to apply only to non-elective reasonable

and necessary medical expenses. The former husband is not responsible for elective medical procedures, absent his express agreement or court order. See Hill v. Hill, 706 So. 2d 406, 407 (Fla. 5th DCA 1998).

AFFIRMED as MODIFIED.

ORFINGER, C.J., GRIFFIN and EVANDER, JJ., concur.