

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

B.R., Father of N.R., a Child,

Appellant,

v.

Case No. 5D12-4144

DEPARTMENT OF CHILDREN AND FAMILIES, and
L.P., Mother of N.R., a Child,

Appellees.

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Opinion filed February 5, 2013

Appeal from the Circuit Court
for Hernando County,
Anthony M. Tatti, Judge.

Elliott R. Ambrose, of Law Office of Elliott
R. Ambrose, Brooksville, for Appellant.

Deborah A. Schroth, Jacksonville, for
Appellee, Department of Children and
Families.

E. J. Lynum of Lynum & Associates,
PLLC, Orlando, for Appellee, L.P., Mother.

Wendie Michelle Cooper, Appellate
Counsel, Tavares, for Guardian ad Litem
Program.

PER CURIAM.

The father, B.R., appeals from an order placing his child, N.R., in permanent guardianship. Based upon the State's proper concession of error, we reverse.

Section 39.621(3)(a), Florida Statutes (2011), requires the Department to file and serve, at least three business days before the permanency hearing, a judicial review social services report which includes a recommended permanency goal and an explanation as to why such a recommendation is in the best interest of the child. The State concedes no such notice was provided. Cf. In re K.M., 86 So. 3d 556, 560 (Fla. 2d DCA 2012) (reversing where Department of Children and Family Services did not provide mother with proper notice of permanency hearing).

REVERSED.

TORPY, COHEN and JACOBUS, JJ., concur.