

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

GLENDA MARTINEZ SMITH,
Appellant,

v.

J. ALAN SMITH,
Appellee.

No. 4D14-1436

[October 18, 2017]

ON REMAND FROM THE SUPREME COURT OF FLORIDA

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; David E. French, Judge; L.T. Case No. 502013DR002143.

Jennifer S. Carroll of Law Offices of Jennifer S. Carroll, P.A., Palm Beach Gardens, for appellant.

No brief filed for appellee.

DAMOORGIAN, J.

We reconsider on remand our opinion in *Smith v. Smith*, 199 So. 3d 911 (Fla. 4th DCA 2016), which was quashed by the Florida Supreme Court following its decision in *Smith v. Smith*, 42 Fla. L. Weekly S773 (Fla. Aug. 31, 2017). As ordered by the Florida Supreme Court, we remand and direct the trial court to vacate its final judgment annulling Glenda Martinez Smith's marriage to J. Alan Smith. The trial court is also directed to vacate its order denying Glenda Martinez Smith's motion to ratify or approve the marriage based on its conclusion that the marriage could not be ratified after the fact. As clarified by the Florida Supreme Court, although the marriage as it stands now is invalid, "the parties are not foreclosed from seeking court approval" in further proceedings. *Id.* at S777.

Reversed and remanded.

WARNER and MAY, JJ., concur.

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