

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2008*

**A.D.**, the mother,  
Appellant,

v.

**DEPARTMENT OF CHILDREN  
AND FAMILIES, STATE OF FLORIDA,**  
Appellee.

No. 4D07-3889

[February 27, 2008]

PER CURIAM.

We accept the State's concession of error and reverse the judgment. The record does not support the trial court's finding that the mother had been warned that she was required to appear at the continuation of the adjudicatory hearing, giving "the date, time, and location of said hearing." See § 39.801(3)(d), Fla. Stat. (2007). Without such a specific warning, she cannot be deemed to have consented to a termination of her parental rights by her non-appearance. Because the final order fails to find any other basis for termination of her parental rights, a new adjudicatory hearing will be necessary.

*Reversed.*

WARNER, FARMER and GROSS, JJ., concur.

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Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John A. Frusciante, Judge; L.T. Case No. 2003-11190 CJDP.

Denise E. Kistner of the Law Offices of Denise E. Kistner, P.A., Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Jeffrey P. Bassett, Assistant Attorney General, Fort Lauderdale, for appellee.

***Not final until disposition of timely filed motion for rehearing.***