

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2010

D.W., Sr., the father,
Appellant,

v.

DEPARTMENT OF CHILDREN AND FAMILIES,
Appellee.

No. 4D10-2730

[October 29, 2010]

PER CURIAM.

As appellee concedes, the circuit court relied on inadmissible hearsay (the mother's out-of-court statements), in entering an order adjudicating the children to be dependent as to the father. We reverse that order and remand to the circuit court for a new dependency hearing.

GROSS, C.J., HAZOURI and GERBER, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Lisa M. Porter, Judge; L.T. Case No. 2010-2773-CJ-DP.

Roger Ally of Law Offices of Roger Ally, P.A., Fort Lauderdale, for appellant.

Bill McCollum, Attorney General, Tallahassee, and Carolyn Schwarz, Assistant Attorney General, Fort Lauderdale, for appellee.

Hillary Kambour, Tavares, for Guardian Ad Litem Program.