

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

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

JUDITH JIMENEZ,

Appellant,

v.

Case No. 5D20-1773

ISMAEL PEREZ,

Appellee.

_____ /

Opinion filed January 8, 2021

Appeal from the Circuit Court
for Marion County,
R. Gregg Jerald, Judge.

Judith Jimenez, St. Cloud, pro se.

Jorge L. Colon, of Jorge Luis Colon, P.A.,
Ocala, for Appellee.

PER CURIAM.

Judith Jimenez challenges the denial of her petition for relocation. Because Jimenez has failed to demonstrate error, we affirm.

There is no transcript of the hearing on her petition for relocation and no stipulation of the facts by the parties and the trial court. In the absence of such records, Jimenez cannot establish any error below. See e.g., Hirsch v. Hirsch, 642 So. 2d 20, 21 (Fla. 5th DCA 1994) (“[T]he failure to provide an appellate court with either a transcript or a proper substitute for a transcript, such as a reconciliation of the facts by the parties and the trial

court, is fatal because, in the absence of a transcript, the appellate court is unable to evaluate allegations that error exists in the trial court's findings but, instead, must presume such findings to be correct.”).

AFFIRMED.

ORFINGER, COHEN and EISNAUGLE, JJ., concur.