

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

JANUARY TERM 2004

DEPARTMENT OF CHILDREN  
AND FAMILIES,

Petitioner,

v.

CASE NO. 5D03-4197

J.G., A CHILD,

Respondent.

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Opinion filed February 13, 2004

Petition for Certiorari Review of Order  
from the Circuit Court for Brevard County,  
Meryl I. Allawas, Judge.

Charles D. Peters, Esq., Orlando,  
for Petitioner.

No Appearance for Respondent.

PER CURIAM.

We grant the petition for writ of certiorari filed by the Department of Children and Family Services and quash the order awarding custody of respondent, J.G., a child, to the Department, as the order was entered without notice to the Department, which was not a party to the proceeding, and without giving the Department an opportunity to be heard. However, as the child is now in shelter custody, we acknowledge that the issue may be moot.

GRANT PETITION AND QUASH ORDER.

SAWAYA, C.J., ORFINGER and PETERSON, J.J. concur.