

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

JULY TERM 2004

ROGER TREMBLAY,

Appellant,

v.

Case No. 5D04-192

LYNNE R. THOMPSON,

Appellee.

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Opinion filed October 22, 2004

Appeal from the Circuit Court
for Brevard County,
Tonya B. Rainwater, Judge.

Harry G. McConnell of Smith, Hood, Perkins, Loucks,
Stout, Bigman, Lane & Brock, P.A., Daytona Beach,
for Appellant.

Lynne R. Thompson of Lynne R. Thompson, P.A.,
Melbourne, pro se.

SAWAYA, C.J.

Attorney Lynne R. Thompson properly concedes that the trial court should not have entered the order approving attorney's fees in this guardianship proceeding without first holding an evidentiary hearing, just as Appellant argues on appeal. She agrees that the cause should be remanded for such a hearing. We therefore reverse and remand for an evidentiary hearing.

REVERSED AND REMANDED.

PETERSON and MONACO, JJ., concur.