

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

JULY TERM 2006

DEPARTMENT OF CHILDREN  
AND FAMILIES,

Appellant,

v.

Case No. 5D06-1846

A.C. AND J.B., SR.,  
PARENTS OF S.B., etc.,

Appellee.

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Opinion filed December 8, 2006

Appeal from the Circuit Court  
for Volusia County,  
Hubert L. Grimes, Judge.

Jodi Abramowitz, of Department of  
Children & Family Services, Daytona  
Beach, for Appellant.

No Appearance for Appellee.

Thomas Wade Young, Orlando,  
for Guardian ad Litem Program.

PER CURIAM.

The Department of Children and Family Services appeals from an order denying its petition to terminate appellees' parental rights. The record reflects that DCF presented substantial evidence which, if fully accepted by the trial judge, would clearly have supported the granting of its petition. However, it is the role of the fact-finder to resolve conflicts in the evidence and to weigh the credibility of witnesses. *A.D. v. Dep't*

*of Children & Families*, 837 So. 2d 1078, 1080 (Fla. 5th DCA 2003). An appellate court cannot question the trial court's assessment of the witness' credibility nor substitute its judgment for the trier of fact. *Decler v. Dep't of Children and Families*, 776 So. 2d 1000, 1001 (Fla. 5th DCA 2001).

AFFIRMED.

PLEUS, C.J., LAWSON and EVANDER, JJ., concur.