

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

JULY TERM 2008

DARRYL WILLIAMS,

Appellant,

v.

Case No. 5D07-238

NANCY LEBEAU,

Appellee.

_____ /

Opinion filed August 29, 2008

Appeal from the Circuit Court
for Osceola County,
Carol E. Draper, Acting Circuit Judge.

Robert L. Sirianni, Jr., of
Brownstone, P.A., Winter Park,
for Appellant.

Nancy Lebeau, St. Cloud,
Pro Se.

PER CURIAM.

Darryl Williams appeals an injunction for protection entered against him. We reverse.

Because of a technical problem with the trial court's digital recording equipment, a significant portion of the evidence was not recorded. As a result, through no fault of the parties, the transcript of the proceedings is incomplete. Unfortunately, the missing portions of the transcript are necessary for a complete review of the issues raised on

appeal.¹ As a result, we have no alternative but to remand this matter for a new hearing. See Jones v. State, 780 So. 2d 218 (Fla. 2d DCA 2001).

REVERSED AND REMANDED.

PLEUS, ORFINGER and EVANDER, JJ., concur.

¹ The parties were unable to agree on a statement of the evidence, as authorized by Florida Rule of Appellate Procedure 9.200(b)(4). Additionally, the trial judge was unable to recollect the evidence.