

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-3013

DAISY RICHARDS, as Personal
Representative of the Estate of
James E. Hurd, Jr., Deceased,

Appellant,

v.

JAMES E. RISH,

Appellee.

On appeal from the Circuit Court for Gulf County.
John L. Fishel, II, Judge.

May 31, 2018

PER CURIAM.

Appellant appeals a Final Judgment entered in Appellee's favor on several claims, including unjust enrichment, arising from an unenforceable oral contract for the sale of real property. We agree with Appellant that the trial court's determination that equity did not compel repayment of funds paid to Appellee is unsupported by the evidence. *See Golden v. Woodward*, 15 So. 3d 664, 670 (Fla. 1st DCA 2009) (noting that an unjust enrichment action exists to prevent "the wrongful retention of a benefit, or the retention of money or property of another, in violation of good conscience and fundamental principles of justice or equity" (citation omitted)); *see also Cole Taylor Bank v. Shannon*, 772 So.

2d 546, 551 (Fla. 1st DCA 2000) (applying the competent, substantial evidence standard of review in reviewing a trial court's ruling in favor of a defendant in an unjust enrichment action). We, therefore, reverse the Final Judgment on the issue of unjust enrichment and remand with directions that the trial court enter judgment in Appellant's favor on that claim.

REVERSED and REMANDED with directions.

B.L. THOMAS, C.J., and LEWIS and MAKAR, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

George V. Matlock, Tallahassee, for Appellant.

James E. Rish, pro se, Appellee.