

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

IN RE: THE NAME CHANGE OF RONALD RUSSELL JOHNSON.

No. 4D18-695

[November 21, 2018]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Merrilee Ehrlich, Judge; L.T. Case No. FMCE 17-11266 (40).

Jason H. Haber of Haber | Blank, LLP, Fort Lauderdale, for appellant.

No appellee.

PER CURIAM.

The petitioner appeals the circuit court's order denying his petition for a name change. The petitioner argues the circuit court erred in two respects: (1) by denying his facially sufficient petition without setting forth a factual basis for what appears, from the face of the order, to have been the circuit court's conclusion that he sought the name change for an ulterior or illegal purpose; and (2) by denying his request to have a court reporter record the hearing.

We agree with both arguments. *See In re Zimmer*, 207 So. 3d 1006, 1007 (Fla. 4th DCA 2017) ("Where a trial court denies a facially sufficient petition [for name change], the factual basis for doing so must be set forth in its order."); Fla. R. Jud. Admin. 2.535(b) ("Any proceeding shall be reported on the request of any party.").

We reverse and remand for a new hearing before a different judge, as the prior judge has since left the bench.

Reversed and remanded for new hearing.

GERBER, C.J., WARNER and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.