

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*July Term 2009*

**KATHY ANN GARCIA-LAWSON, Ph.D.**, individually, as attorney-in-fact,  
and as health care surrogate for **JOSEPHINE D. GARCIA**,  
Appellant,

v.

**DON GARCIA, Ph.D.**, and **PALM BEACH GARDENS MEDICAL  
CENTER**,  
Appellees.

No. 4D09-4507

[November 12, 2009]

PER CURIAM.

We reverse the trial court's order of November 6, 2009. On remand the trial court shall conduct a hearing consistent with Florida Probate Rule 5.900(d) at which appellant may participate.

GROSS, C.J., MAY and DAMOORGIAN, JJ., concur.

\* \* \*

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Charles E. Burton, Judge; L.T. Case No. 502009GA00541XXXXSB.

Brian M. O'Connell and Ashley N. Girolamo of Casey Ciklin Lubitz Martens & O'Connell, West Palm Beach, for appellant.

Carol J. Healy Glasglow of Billing, Cochran, Lyles, Mauro & Ramsey, P.A., Fort Lauderdale, for appellee Palm Beach Gardens Medical Center.

***No motions for rehearing will be entertained.***