

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

In the Interest of Baby Girl M., a child.)
_____))
FAMILY CREATIONS, INC.,)
)
Petitioner,)
)
v.)
)
N.E.M. and C.W.M.,)
)
Respondents.)
_____))

Case No. 2D17-1311

Opinion filed December 13, 2017.

Petition for Writ of Certiorari to the Circuit
Court for Manatee County; Janette
Dunnigan, Judge.

Cheryl R. Eisen-Yearly, Delray Beach, for
Petitioner.

John P. Fleck, Jr., Bradenton, for
Respondent C.W.M.

No appearance for Respondent N.E.M.

PER CURIAM.

The petitioner's petition for writ of certiorari is granted. Because C.W.M. is an "unmarried biological father," as the term is defined in section 63.032(19), Florida Statutes (2016), and he did not file a notarized claim of paternity form with the Florida Putative Father Registry before the mother executed her consent for adoption and the

petitioner filed the petition to terminate parental rights, he "is deemed to have waived and surrendered any rights in relation to the child, including the right to notice of any judicial proceeding in connection with the adoption of the child, and his consent to the adoption of the child is not required." § 63.062(2)(e), Fla. Stat. (2016); see also § 63.062(1)(b)(5) ("The status of the father shall be determined at the time of the filing of the petition to terminate parental rights and may not be modified . . . for purposes of his obligations and rights under this chapter by acts occurring after the filing of the petition to terminate parental rights."). The trial court's order granting C.W.M.'s motion to intervene is quashed. The trial court shall expeditiously rule on the petitioner's motion to set final hearing.

Petition granted; order quashed.

NORTHCUTT, VILLANTI, and MORRIS, JJ., Concur.