

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JOHN EDWARD PASKERT,

Appellant,

v.

NICOLE STEFFENSMEIER,

Appellee.

Case No. 2D19-2554

JOHN EDWARD PASKERT,

Appellant,

v.

HOWARD STEFFENSMEIER,

Appellee.

Case No. 2D19-2571

CONSOLIDATED

Opinion filed May 1, 2020.

Appeals from the Circuit Court for Pinellas
County; Theodora C. Komninos, Acting
Circuit Judge.

Michael Berry Sr., and Oxalis B. Garcia of
The Berry Law Firm, P.A., Clearwater, for
Appellant.

Stacey L. Bartlett of Bartlett Law Offices,
LLC, Palm Harbor, for Appellees.

SILBERMAN, Judge.

In these consolidated appeals, John Edward Paskert appeals two final judgments of injunction for protection against stalking, one entered in favor of each of his neighbors, Nicole Steffensmeier and Howard Steffensmeier. Paskert raises three issues on appeal, and we affirm on issues one and three without discussion. As to issue two, we reverse the judgments to the extent that they are inconsistent with the trial court's oral pronouncement and remand for the trial court to enter amended judgments that conform to the oral pronouncement.

Paskert contends that the injunctions are overbroad in that they prohibit him from going within 500 feet of his next-door neighbors' house and within 100 feet of their vehicles. The Steffensmeiers concede that the trial court did not make this prohibition in its oral ruling and that the written judgments should not contain the 500-foot and 100-foot prohibitions. Paskert filed motions to correct the errors in the trial court, but Paskert then filed his notices of appeal before the trial court was able to correct the errors.¹

When a written judgment is inconsistent with the oral pronouncement, reversal is required. Suk v. Chang, 189 So. 3d 224, 225 (Fla. 2d DCA 2016); Brewer v. Brewer, 3 So. 3d 432, 433 (Fla. 2d DCA 2009). Therefore, we reverse the portion of the final judgments that prohibits Paskert from coming within 500 feet of the Steffensmeiers' house and within 100 feet of their vehicles and remand for amended judgments to be entered that delete those provisions.

¹This court denied the parties' stipulated motion to supplement our record with amended judgments that were rendered after the notices of appeal were filed. See Fla. R. App. P. 9.600(a).

Affirmed in part, reversed in part, and remanded.

VILLANTI and SMITH, JJ., Concur.