

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

KENNETH C. ELROD,)
)
Appellant,)
)
v.)
)
DEPARTMENT OF REVENUE)
o/b/o CHARLENE GEHRLEIN,)
)
Appellee.)
_____)

Case No. 2D02-2214

Opinion filed June 4, 2003.

Appeal from the Department of Revenue.

Kenneth Elrod, pro se.

Charles J. Crist, Jr., Attorney General, and
William H. Branch, Assistant Attorney
General, Tallahassee, for Appellee.

SALCINES, Judge.

Kenneth C. Elrod appeals from the order of the circuit court adopting the hearing officer's recommendation to grant the Department of Revenue's motion to dismiss Mr. Elrod's supplemental petition for modification/abatement of his child support obligation. We affirm without prejudice for Mr. Elrod to refile his supplemental petition

for reconsideration under the newly established procedure set forth in Department of Revenue v. Jackson, 28 Fla. L. Weekly S343 (Fla. Apr. 24, 2003).

Affirmed.

ALTENBERND, C.J., and VILLANTI, J., Concur.