

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 A.C. and A.S., children,)
_____))
V.S.,))
))
 Petitioner,))
))
v.))
))
DEPARTMENT OF CHILDREN AND))
FAMILY SERVICES, and GUARDIAN))
AD LITEM PROGRAM,))
))
 Respondents.))
_____))

Case No. 2D10-4048

Opinion filed November 10, 2010.

Petition for Writ of Certiorari to the Circuit
Court for Pasco County; William R. Webb,
Judge.

John E. Hendry, Regional Counsel,
Second District, and Cynthia Cholmondeley,
Assistant Regional Counsel, Office of
Criminal Conflict and Civil Regional
Counsel, Bartow, for Appellant.

Amie K. Patty, New Port Richey, for Appellee
Department of Children and Family Services.

Jennifer S. Paullin, Tavares, for Appellee
Guardian Ad Litem Program.

WHATLEY, Judge.

The Father, V.S., petitions this court for a writ of certiorari quashing the circuit court's order entered after a status check hearing which, among other things, denied his request to reinstate visitation with his daughter, A.S. A.S. had been adjudicated dependent and placed with a family member, and the Father's one-hour per week of supervised visitation had been suspended. The Father argues that the circuit court departed from the essential requirements of law by continuing the suspension of his visitation rights without clear and convincing evidence that his visits with A.S. were not in her best interest. The Department of Children and Families concedes error, and we agree with the Father's argument.

Accordingly, we grant the Father's petition and issue a writ of certiorari quashing the order denying the Father's motion to reinstate his visitation rights. We remand for further proceedings.

CASANUEVA, C.J., and ALTENBERND, J., Concur.