

IN THE DISTRICT COURT OF APPEAL, LAKE LAND, FLORIDA

August 1, 2008

STEVE L. COUCH,)	
)	
Appellant,)	
v.)	Case No. 2D07-2310
)	
TERRY H. WADE,)	
f/k/a TERRY COUCH,)	
)	
Appellee.)	
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BY ORDER OF THE COURT:

Appellant's motion for rehearing and written opinion is granted.

Appellant's motion for rehearing en banc is denied as moot. The court's opinion of May 2, 2008, is withdrawn, and the attached is substituted therefor.

I HEREBY CERTIFY THE FOREGOING IS A
TRUE COPY OF THE ORIGINAL COURT ORDER.

JAMES BIRK HOLD, CLERK

cc: Virginia R. Vetter Whitney G. Krause Clerk

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

STEVE L. COUCH,)	
)	
Appellant,)	
v.)	Case No. 2D07-2310
)	
TERRY H. WADE,)	
f/k/a TERRY COUCH,)	
)	
Appellee.)	
_____)	

Opinion filed August 1, 2008.

Appeal from the Circuit Court for
Hillsborough County; J. Kevin Carey,
Judge.

Virginia R. Vetter, Tampa, for Appellant.

Whitney G. Krause, DCMA, Orlando, for
Appellee.

PER CURIAM.

Steve L. Couch appeals an order of civil contempt contending that the trial
court erred in several regards. We find one contention meritorious. We conclude the

trial court erred by failing to review the transcript of proceedings before approving the general master's report and recommendation. We note that the transcript was received beyond the date established by order of the court but was before the trial court prior to its ultimate determination of the appropriateness of the general master's report and recommendation. Due to the unique facts presented in our record, we reverse and set aside the order of contempt and remand for further proceedings to include a review of Mr. Couch's exceptions and of the transcript of proceedings.

Reversed and remanded with instruction.

ALTENBERND, CASANUEVA, and CANADY, JJ., Concur.

