

# Third District Court of Appeal

## State of Florida

Opinion filed December 26, 2018.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D17-1540  
Lower Tribunal No. 17-1559

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**Quentisa Wright,**  
Appellant,

vs.

**Tyson Tribble,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Reemberto Diaz,  
Judge.

Law Office of Sean P. O'Connor, P.A., and Sean P. O'Connor, for appellant.

Bland Law, P.A., and Gerald R. Bland, for appellee.

Before SALTER, EMAS, and LOGUE, JJ.

PER CURIAM.

Finding the Appellant failed to present specific facts to support a finding that  
the father “abused, abandoned, or neglected the child as defined in chapter 39,” §

751.03(9), Fla. Stat. (2011), we affirm the trial court’s dismissal of the case. See In re A.M.M., 63 So. 3d 910, 913 (Fla. 2d DCA 2011) (order granting temporary custody to extended family member facially erroneous where court did not find by clear and convincing evidence that parent abused, abandoned, or neglected child as defined in chapter 39); In re T.H. v. Dep’t Children and Family Servs., 979 So. 2d 1075, 1081 (Fla. 2d DCA 2008) (concluding evidence of involuntary abandonment by parent insufficient to terminate parental rights); Landinguin v. Carneal, 837 So. 2d 525, 527 (Fla. 4th DCA 2003) (quoting § 751.05(3), Fla. Stat. (2001)) (“where one parent objects to the granting of custody, ‘the court shall grant the petition only upon a finding, by clear and convincing evidence, that the child’s parent or parents are unfit to provide the care and control of the child. In determining that a parent is unfit, the court must find that the parent has abused, abandoned, or neglected the child, as defined in chapter 39.’”).

Affirmed.