

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JULY TERM, 2004

ROSEMARIE SPANO,

Appellant,

vs.

DENNIS E. BRUCE,

Appellee.

**

**

** CASE NO. 3D04-838

**

** LOWER

TRIBUNAL NO. 93-3711

**

Opinion filed October 13, 2004.

An Appeal from the Circuit Court for Miami-Dade County,
Robert N. Scola, Jr., Judge.

Rose J. Spano, for appellant.

John G. Crabtree, for appellee.

Before GERSTEN, GODERICH, and GREEN, JJ.

PER CURIAM.

The mother, Rosemarie Spano, appeals the denial of her
motion to modify the parties' custodial visitation agreement.

We affirm.

A review of the record indicates that the mother failed to meet her burden of establishing that there was a substantial change in circumstances since entry of the parties' visitation agreement that would warrant a change of custody, and that a change of custody would be in the best interest of the child. Mejia v. Rico-Perez, 827 So. 2d 315, 316 (Fla. 3d DCA 2002); Perdices v. Perdices, 800 So. 2d 289, 291 (Fla. 3d DCA 2001), review denied, 821 So. 2d 299 (Fla. 2002); Perez v. Perez, 767 So. 2d 513, 516 (Fla. 3d DCA 2000). Therefore, we affirm the order under review.

Affirmed.