

IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT,
IN AND FOR ORANGE COUNTY, FLORIDA

**Lisa Rhynes-Partlow and
Juantia Rhynes,**

Appellants,

v.

Infinity Auto Insurance Company,

Appellee.

_____ /

Appeal from the County Court,
for Orange County, Florida,
Tina Caraballo, County Judge.

Lisa Rhynes-Partlow and Juantia Rhynes, pro se.

Gary Kornfield, Esq., for Appellee.

Before APTE, LATIMORE, and ROCHE, J.J.

PER CURIAM.

Appellants, Lisa Rhynes-Partlow and Juantia Rhynes, appeal the trial court's final judgment entered against them. This Court has jurisdiction under Florida Statute section 26.012(1) and Florida Rule of Appellate Procedure 9.030(c)(1)(A). Because the final judgment was signed by a judge that did not preside over the trial, we reverse.¹ See *In re N.C.*, 834 So. 2d 189, 189 (Fla. 2d DCA 2002) (court "compelled to reverse" when a different judge signed the final order than the one that presided over the dependency proceedings); *Hartney v. Piedmont Tech., Inc.*, 814 So. 2d 1217, 1218 (Fla. 1st DCA 2002) (reversing because a successor judge

¹ The other arguments set forth in the Initial Brief are without merit.

entered the judgment based on evidence heard by a different judge); *Umscheid v. Umscheid*, 724 So. 2d 1267, 1268 (Fla. 5th DCA 1999) (quashing order signed by judge that did not hear the evidence); *Carr v. Byers*, 578 So. 2d 347, 347-48 (Fla. 1st DCA 1991) (reversing and remanding for a new trial when successor judge that did not hear evidence signed proposed final judgment that trial judge in bench trial edited and dictated to his secretary before his death).

Accordingly, it is hereby **ORDERED AND ADJUDGED** that the “Final Judgment Against Lisa Rhynes-Partlow and Juanita [sic] Rhynes,” entered on November 17, 2015, is **REVERSED** and this matter is **REMANDED** to the trial court for further proceedings consistent with this opinion.

DONE AND ORDERED in Chambers, at Orlando, Orange County, Florida, on this 24th day of October, 2016.

/S/_____
ALAN S. APTE
Presiding Circuit Judge

LATIMORE and ROCHE, J.J., concur.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been furnished to: **The Honorable Tina Caraballo, Orange County Judge**, Orange County Courthouse, 425 N. Orange Ave., Orlando, FL 32801; **Lisa Rhynes-Partlow and Juantia Rhynes**, 5077 Stratemeyer Dr., Orlando, FL 32839; and **Gary Kornfield, Esq.**, Law Offices of Gary Kornfield, P.A., 4600 Sheridan St., Suite 203, Hollywood, FL 33021, on this 24th day of October, 2016.

/S/_____
Judicial Assistant