

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2008

J.R., MOTHER OF R.S., N.S.,
AND S.R., CHILDREN,

Appellant,

v.

Case No. 5D07-3981

DEPARTMENT OF CHILDREN AND FAMILIES,

Appellee.

Opinion filed July 10, 2008

Appeal from the Circuit Court
for Osceola County,
Margaret Waller, Judge.

Ryan Thomas Truskoski of Ryan Thomas
Truskoski, P.A., Orlando, for Appellant.

Kelly A. Swartz, Rockledge, for Appellee.

PALMER, C.J.

J.R. (mother) appeals the final order entered by the trial court which granted the motion filed by the Department of Children and Families (DCF) for termination of supervision and jurisdiction over her children. The motion alleged that termination was warranted based on the fact that the children had been placed in the custody of the mother's non-offending ex-husband. DCF commendably concedes that the evidence before the trial court was insufficient to support the trial court's ruling. Accordingly, we reverse the instant termination order and remand this matter to the trial court for further proceedings. See K.E. v. Dep't of Children & Families, 958 So. 2d 968 (Fla. 5th DCA 2007).

REVERSED and REMANDED.

SAWAYA and TORPY, JJ., concur.