

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

JANUARY TERM 2009

RICHARD JOSEY WALES,

Appellant,

v.

Case No. 5D08-3752

ANNMARIE LEIGH WALES,

Appellee.

/

Opinion filed June 12, 2009.

Appeal from the Circuit Court
for Orange County,
Janet C. Thorpe, Judge.

Peter Cushing, Orlando, for Appellant.

Michael E. Morris, Orlando, for Appellee.

MONACO, J.

The former husband, Richard Wales, takes this appeal from a final order dissolving his long-term marriage with the former wife, Annmarie Leigh Wales. The record clearly supports the final judgment in all respects with the exception of \$400 per month awarded to the former wife for "support arrearages" during the period from September 2006 to October 2007 (a total of \$5,200.00). This award is not explained in the final judgment by the trial court, and does not appear to be supported by the record. We note, as well, that the former wife did not testify that her needs were not met during the subject period of time, and there were no findings of fact made by the trial court to

explain and support the award. See *Ponce v. Ponce*, 997 So. 2d 1120, 1123 (Fla. 3d DCA 2008); *Alpert v. Alpert*, 886 So. 2d 999, 1002 (Fla. 2d DCA 2004).

Accordingly, we affirm the final judgment in all respects except with regard to the award of \$5,200 support arrearages above described. With respect to the support arrearages we reverse and remand to the trial court with instructions to vacate that portion of the final judgment.

AFFIRMED in part, REVERSED in part, and REMANDED.

COHEN, J., and THOMPSON, Jr., E., Senior Judge, concur.