

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2006

WANDA SLY-WOODS GARMON,
Appellant,

v.

FREDDIE GARMON,
Appellee.

No. 4D05-553

[February 15, 2006]

KLEIN, J.

The day before the final hearing in her dissolution case, appellant's counsel notified the court that he had just been informed that a criminal case in which he was counsel was going to trial at the same time. Notwithstanding that Florida Rule of Judicial Administration 2.052 provides that where there are calendar conflicts, criminal cases prevail over civil cases, the court tried the case without the presence of appellant or her counsel. We reverse for a new trial.

STONE, J. and REYES, ISRAEL U., Associate Judge, concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Linda Vitale, Judge; L.T. Case No. FMCE 03-25158 3990.

James O. Walker, III, Fort Lauderdale, for appellant.

No brief filed for appellee.

Not final until disposition of timely filed motion for rehearing.