

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

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

CASEY SEAMAN,

Appellant,

v.

Case No. 5D18-2080

ALLISON L. SEAMAN,

Appellee.

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Opinion filed March 22, 2019

Appeal from the Circuit Court  
for Marion County,  
Jennifer Bass, Judge.

Michael V. Laurato, of Austin & Laurato,  
P.A., Tampa, for Appellant.

Cheri A. Russell, of Cheri A. Russell, P.A.  
Ocala, for Appellee.

PER CURIAM.

Appellant, Casey Seaman, appeals the trial court's order finding him in indirect civil contempt, arguing, *inter alia*, that the trial court failed to comply with Florida Family Law Rule of Procedure 12.615(c)(2)(B). Appellant asserts that because he was not present at the contempt hearing, the trial court erred when it found that he had a present ability to pay and that his failure to pay was willful. We agree and note that Appellee properly concedes error on this point.

We therefore reverse the order finding Appellant in indirect civil contempt and remand for the trial court to consider Appellant's present ability to pay and willfulness in compliance with the procedure set forth in rule 12.615(c)(2)(B).

REVERSED and REMANDED.

COHEN, EISNAUGLE and SASSO, JJ., concur.