

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

EILIDH PRICE,)	
)	
Appellant,)	
)	
v.)	Case No. 2D16-5414
)	
GRANT PRICE,)	
)	
Appellee.)	
_____)	

Opinion filed January 5, 2018.

Appeal from the Circuit Court for
Sarasota County; Stephen M. Walker,
Judge.

Mark C. Rutecki of Mark Rutecki &
Associates, P.A., Celebration, for
Appellant.

Kenneth A. Wiggins of Law Offices of
Kenneth A. Wiggins, Bradenton, for
Appellee.

CRENSHAW, Judge.

The wife appeals a final judgment of dissolution raising several challenges to the trial court's equitable distribution; we find merit in only one. Because the trial court made no findings regarding certain items of the parties' personal property, we reverse.

The wife specifically takes issue with items identified as furniture, furnishings, a hot tub, and electronic entertainment equipment. These items are listed as assets on the parties' financial affidavits contained in the record. At the final hearing, the trial court noted that it received the husband's two financial affidavits as evidence during the trial and that the husband testified that the affidavits "are true and correct as he sits here. And he gave testimony as to corroborate the values within the financial affidavit."

Despite the admission of testimonial and documentary evidence regarding these assets, the trial court made no findings regarding whether they were marital or not. This constitutes reversible error. See, e.g., Prest v. Tracy, 749 So. 2d 538, 539 (Fla. 2d DCA 2000) ("The trial court's failure to identify and separate the nonmarital assets from the marital assets prior to distribution constitutes reversible error."). The husband's reliance on Esaw v. Esaw, 965 So. 2d 1261, 1264-65 (Fla. 2d DCA 2007), is misplaced because here, unlike in Esaw, the wife presented a sufficient record demonstrating the error where she provided a transcript of the final hearing containing the trial court's ruling. Because any potential distribution of these assets will affect the current equitable distribution scheme, reversal of the entire scheme is appropriate. See, e.g., Fotinos v. Fotinos, 74 So. 3d 142, 143 (Fla. 2d DCA 2011) ("Accordingly, we reverse that portion of the final judgment distributing the parties' marital assets. On remand, consistent with this opinion, the trial court shall make specific findings that support the equitable distribution scheme.").

Accordingly, we reverse the portion of the final judgment dealing with equitable distribution and remand for the trial court to make the findings required by

section 61.075, Florida Statutes (2015). We affirm the final judgment in all other respects.

Affirmed in part; reversed in part; remanded.

KHOUZAM and SALARIO, JJ., Concur.