

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Jason Garmon v. Meagan Garmon

Garmon · No. 6D2024-1564 · Decided May 1, 2026

SUMMARY

The Sixth District Court of Appeal of Florida reversed an order awarding attorney’s fees to Meagan Garmon in a post-dissolution proceeding. The court held that the record lacked competent substantial evidence supporting Former Wife’s need for attorney’s fees and also reversed the order denying rehearing.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	Per curiam; Marlewski, C.A., Associate Judge; Stargel, J.; Smith, J.
JURISDICTION	Florida Sixth District Court of Appeal
DECIDED	May 1, 2026
DOCKET	6D2024-1564
DISPOSITION	reversed
PROCEDURAL POSTURE	Former Husband appealed an order awarding Former Wife attorney's fees in a post-dissolution proceeding and an order denying his motion for rehearing on the fees motion.
STANDARD OF REVIEW	The award of attorney's fees in a dissolution proceeding must be supported by competent substantial evidence of the requesting party's need; the appellate court reviewed the evidentiary sufficiency supporting the fee award.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Jason Garmon, Former Husband v. Meagan Garmon, Former Wife

TOPICS

- family law procedure
- dissolution of marriage
- appellate procedure
- preservation of error
- standard of review

PRACTICE AREAS

- family law
- appellate procedure
- attorney's fees

QUESTIONS PRESENTED

1. Whether the attorney's-fee award was supported by competent substantial evidence of Former Wife's need for fees.
2. Whether the sufficiency of the evidence supporting the fee award could be raised for the first time in a motion for rehearing or on appeal.

HOLDINGS

1. An attorney's-fee award in this post-dissolution proceeding cannot stand when the record lacks competent substantial evidence supporting the requesting spouse's need for fees. Because the record lacked such evidence, the fee award was reversed.
2. Under Florida Family Law Rule of Procedure 12.530(e), the sufficiency of evidence supporting a judgment entered after a nonjury trial may be raised on appeal even if the issue was not raised in the trial court or in a motion for rehearing.

KEY QUOTATIONS

“When an action has been tried by the court without a jury, the sufficiency of the evidence to support the judgment may be raised on appeal whether or not the party raising the question has made any objection to it in the trial court or made a motion for rehearing, for new trial, or to alter or amend the judgment.” (2)

FACTUAL BACKGROUND

In a post-dissolution of marriage proceeding, the circuit court awarded Former Wife Meagan Garmon attorney's fees. Former Husband Jason Garmon challenged the award in a motion for rehearing, arguing that Former Wife had not established her need for fees by competent substantial evidence. The appellate record lacked competent substantial evidence supporting Former Wife's need for attorney's fees.

PROCEDURAL HISTORY

The Circuit Court for Orange County awarded Meagan Garmon attorney's fees in an underlying post-dissolution of marriage proceeding and denied Jason Garmon's request for rehearing. On rehearing, Jason argued for the first time that Meagan had failed to prove her need for fees by competent substantial evidence. The Sixth District Court of Appeal reversed the fee award.

DISPOSITION

reversed

CASES CITED

- Saporito v. Saporito, 831 So. 2d 697, 701 (Fla. 5th DCA 2002)
- Rosen v. Rosen, 696 So. 2d 697, 699 (Fla. 1997)
- Broemer v. Broemer, 109 So. 3d 284, 290 (Fla. 1st DCA 2013)
- Lau v. Lau, 407 So. 2d 927, 928 (Fla. 3d DCA 1981)

- Zahringer v. Zahringer, 813 So. 2d 454, 457 (Fla. 4th DCA 2002)
- Bohner v. Bohner, 997 So. 2d 454, 457 (Fla. 4th DCA 2008)
- Bauchman v. Bauchman, 253 So. 3d 1143, 1148-49 (Fla. 4th DCA 2018)
- Graydus v. Graydus, 414 So. 3d 213, 215 (Fla. 4th DCA 2025)
- Carlson v. Carlson, 719 So. 2d 936, 936 (Fla. 4th DCA 1998)

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