

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Jason Garmon v. Meagan Garmon

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

OPINION

Jason Garmon v. Meagan Garmon

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 6D2024-1564 Lower Tribunal No. 2018-DR-006333 _____

JASON GARMON,

Appellant, v.

MEAGAN GARMON,

Appellee. _____ Appeal from the Circuit Court for Orange County.

Elaine A. Barbour, Judge. May 1, 2026 MARLEWSKI, C.A., Associate Judge. Former Husband, Jason Garmon, appeals an order awarding attorney's fees to his Former Wife, Meagan Garmon, in an underlying post-dissolution of marriage proceeding as well as the order denying his request for a rehearing on the fees motion. Former Husband argued for the first time in his motion for rehearing that Former Wife failed to prove her need for attorney's fees by competent substantial evidence which should result in the reversal of the court's order granting fees. ¹ We agree. Because the record lacks competent substantial evidence to support Former Wife's need for attorney's fees, we reverse the award. See *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).

REVERSED. STARGEL and SMITH, JJ., concur. Allison M. Perry, of Florida Appeals, P.A., Tampa, for Appellant. Wade P. Luther, of The Law Office of Wade P. Luther, P.A., Montverde, for Appellee.

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

¹ A party may raise sufficiency of the evidence for the first time on appeal even if not raised in a

motion for rehearing. See Fla. Fam. L. R. P. 12.530(e) (“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