

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

ELIZABETH LAMORTE,
Appellant,

v.

PABLO TESTONI,
Appellee.

No. 4D17-3487

[March 14, 2018]

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Roger B. Colton, Senior Judge; L.T. Case No. 502016DR001039XXXNB.

Manuel Farach of McGlinchey Stafford, PLLC, Fort Lauderdale, for appellant.

Michael S. Dyer of the Law Office Michael Samuel Dyer, West Palm Beach, for appellee.

TAYLOR, J.

The mother, Elizabeth LaMorte, appeals an Amended Final Judgment of Determination of Paternity, which established the appellee's paternity of the parties' minor children and adjudicated issues regarding timesharing and child support. We affirm on all issues, but write to address one of the mother's arguments.

With respect to the mother's argument that the trial court erred by failing to provide for support of the parties' special needs child past the age of majority, we find that this issue was not preserved. However, our affirmance on this issue is without prejudice to the mother seeking a modification of child support on the basis that section 743.07(2), Florida Statutes, applies. See § 61.13(1)(a)2., Fla. Stat. (2017) ("The court initially entering an order requiring one or both parents to make child support payments has continuing jurisdiction after the entry of the initial order to modify the amount and terms and conditions of the child support payments . . . if s. 743.07(2) applies . . ."); § 743.07(2), Fla. Stat. (2017) (a court may require support "for a dependent person beyond the age of

18 years when such dependency is because of a mental or physical incapacity which began prior to such person reaching majority . . .”).

Affirmed.

MAY and DAMOORGIAN, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.