

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

JULY TERM 2005

GEORGE NICOL,

Appellant,

v.

Case No. 5D05-126

ANN NICOL,

Appellee.

Opinion filed December 23, 2005

Appeal from the Circuit Court
for Brevard County,
Morgan Laur Reinman, Judge.

Maureen Monaghan Matheson of
Reinman, Matheson, Vaughan & Durham,
P.A., Melbourne, for Appellant.

Pamela Huddleston of Huddleston &
Palumbo, P.A., Melbourne, for Appellee.

PER CURIAM.

We affirm the lower court's order that denied Appellant's petition to modify the final judgment of dissolution of marriage. *Janovic v. Janovic*, 814 So. 2d 1096 (Fla. 1st DCA 2002). We reverse, however, the award of attorney's fees to Appellee. Because insufficient evidence was introduced to support the award, we decline Appellee's request to remand the cause for a new hearing. *Warner v. Warner*, 692 So. 2d 266, 268 (Fla. 5th DCA 1997).

AFFIRMED in part; REVERSED in part.

THOMPSON, PALMER and TORPY, JJ., concur.