

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D17-1512

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RICHARD D. LEIJA,

Appellant,

v.

WHITNEY BYRD,

Appellee.

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On appeal from the Circuit Court for Duval County.  
John I. Guy, Judge.

January 17, 2018

PER CURIAM.

Richard Leija appeals from an order summarily denying his motion to dissolve an injunction entered in 1999 for protection against repeat violence. In the motion, Mr. Leija alleged that he had not had contact with the petitioner, Whitney Byrd, in over fifteen years and the injunction was interfering with his ability to find employment and to participate in a work-release program. We agree with Mr. Leija that “[t]he trial court erred in denying this legally sufficient motion without affording appellant a meaningful opportunity to be heard.” *Kugler v. Joosten*, 58 So. 3d 323, 323 (Fla. 1st DCA 2011); *see also Raymonvil v. Lewis*, 46 So. 3d 139, 139 (Fla. 5th DCA 2010) (finding the motion to be legally sufficient where the movant “alleged that he had not had contact with the petitioner, was presently incarcerated, and the injunction was impacting his ability to participate in a work-release program.”).

REVERSED and REMANDED for further proceedings.

LEWIS, MAKAR, and OSTERHAUS, JJ., concur.

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*Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.*

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Richard D. Leija, pro se.

No appearance for Appellee.