

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-2231

DANIEL ALBERT STANDARD,

Appellant,

v.

STATE, DEPARTMENT OF
REVENUE, CHILD SUPPORT
ENFORCEMENT PROGRAM and
TARA LYNN CURTIS,

Appellees.

On appeal from an order rendered by the Department of
Revenue.

August 3, 2018

PER CURIAM.

Appellant challenges on appeal the Department of Revenue's administrative paternity and support order, entered in proceedings under sections 409.256 and 409.2563, Florida Statutes. Appellant seeks judicial review of the administrative order pursuant to sections 409.256(12) and 409.2563(10)(a).

Because Appellant failed to participate in the administrative proceedings by returning the forms for financial information supplied him by the Department and failed to request an

administrative hearing after notice of his right to do so and the consequences for failing to do so, Appellant has not preserved any issue for this Court's appellate review. By waiving his right to a hearing, Appellant waived his ability to challenge the sufficiency of the evidence to support the Department's determination of his child support obligations. *See* § 409.2563(7)(b), Fla. Stat.

Even if Appellant had preserved any issues for appellate review, the grounds he asserts for setting aside the administrative order would have no merit. We are required to affirm final agency action unless Appellant shows a ground for setting such action aside, as provided by section 120.68, Florida Statutes. § 120.68(8), Fla. Stat. Appellant fails to establish any of the statutory grounds. His assertion of an agreement with the child's mother that no retroactive child support is owed is legally irrelevant because parents may not contract away or waive the rights of their child for support. *Lancaster v. Lancaster*, 228 So. 3d 1197, 1198 (Fla. 1st DCA 2017). Accordingly, the administrative paternity and support order is

AFFIRMED.

BILBREY, WINOKUR, and JAY, JJ., concur.

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

Daniel Albert Standard, pro se, Appellant.

Pamela Jo Bondi, Attorney General, Toni C. Bernstein, Senior Assistant Attorney General, and Carrie R. McNair, Assistant Attorney General, Tallahassee, for Appellees.