# FIRST DISTRICT COURT OF APPEAL
# STATE OF FLORIDA

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No. 1D2025-0918

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DEBRA SOWELL SHORT,

Appellant,

v.

DARRYL GENE SHORT,

Appellee.

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On appeal from the Circuit Court for Holmes County.
Timothy Register, Judge.

October 28, 2026

PER CURIAM.

Debra Sowell Short appeals an amended final judgment dissolving her marriage to Darryl Gene Short. We write only to address the findings supporting the amount of durational alimony. All other issues on appeal are affirmed without discussion.

Section 61.08(2)(a), Florida Statutes (2025), requires the trial court, before awarding alimony, to make specific factual findings of actual need and ability to pay. *See Ehiabor v. Ehiabor*, No. 1D2025-0117, 2026 WL 1676200, at *6 (Fla. 1st DCA June 10, 2026); *see also Shouman v. Salama*, 404 So. 3d 616, 617 (Fla. 6th DCA 2025) (noting that section 61.08(2) sets forth a two-step process for determining whether to award alimony in a divorce). Need and ability are measured using net incomes after reasonable

expenses. *See Ogle v. Ogle*, 334 So. 3d 699, 702–03 (Fla. 1st DCA 2022). Section 61.08(8)(c) caps an award of durational alimony at the lesser of the recipient's reasonable need or thirty-five percent of the parties' net-income difference.

The amended judgment states that the Wife has need and the Husband has the ability to pay, makes findings under section 61.08(3), and calculates the thirty-five-percent ceiling. But those findings and the ceiling do not substitute for subsection (2)(a)'s threshold determinations. The judgment does not identify either party's reasonable expenses, quantify the Wife's actual need, or determine the Husband's available net income after reasonable expenses. Nor may we infer a need finding from the award and the Wife's imputed income. Because the parties disputed the expenses, we cannot select the accepted expenses or supply the findings the statute assigns to the trial court. *See Ehiabor*, 2026 WL 1676200, at *6–*7; *Murkerson v. Murkerson*, 325 So. 3d 1034, 1036–37 (Fla. 1st DCA 2021).

We therefore reverse the durational-alimony award and remand for the trial court to make the findings required by section 61.08(2)(a). The remand is limited. We do not direct a particular amount or require acceptance of either party's claimed expenses. We affirm in all other respects and deny the Wife's pending motion for appellate sanctions.

AFFIRMED in part, REVERSED in part, and REMANDED for further proceedings.

ROWE, WINOKUR, and NEFF, 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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Samuel Alexander and Kerry Evander of Alexander Appellate Law P.A., Jacksonville, for Appellant.

John Y. Roberts, Marianna, for Appellee.