FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2025-3002
LT Case No. 05-2022-DR-043599

JAMES LYNCH,

Appellant,

v.

MICHELLE LYNCH,

Appellee.

On appeal from the Circuit Court for Brevard County.
Robert Alan Segal, Judge.

James Lynch, Temple, GA, pro se.

No Appearance for Appellee.

November 6, 2026

HARRIS, J.

Appellant, James Lynch ("Former Husband"), appeals the trial court's Final Judgment Dissolution of Marriage arguing inter alia that the court failed to identify and allocate marital liabilities. Because the trial court did not make the requisite findings as to identification and allocation of liabilities, we remand for the court to include such findings. However, Former Husband has failed to demonstrate error on any of the other issues presented. We therefore affirm the Final Judgment in all other respects.

In this appeal, Former Husband argues that the Final Judgment failed to allocate the marital debts, including the marital credit card balances, vehicle loans, and additional liabilities as reflected in his financial affidavit. He correctly argues that, after identifying assets and liabilities, the court is required to classify each as marital or nonmarital and then distribute those assets and liabilities. *See Jones v. Jones*, 413 So. 3d 242, 243 (Fla. 5th DCA 2025). The "failure to make sufficient findings regarding value of property and identification of marital assets and debts constitutes reversible error and requires remand for appropriate findings to be made." *Raphael v. Raphael*, 221 So. 3d 687, 687 (Fla. 4th DCA 2017) (quoting *Patino v. Patino*, 122 So. 3d 961, 963 (Fla. 4th DCA 2013)); *see also* § 61.075(3)(c), Fla. Stat. (2025) (providing distribution of marital liabilities shall include specific written findings of fact as to the identification of the liabilities and designation of which spouse shall be responsible for each liability). Former Husband raised this issue in his motion for rehearing and thus preserved it. *See Williams v. Williams*, 152 So. 3d 702, 704 (Fla. 1st DCA 2014) ("[W]here an error by the court appears for the first time on the face of a final order, a party must alert the court of the error via a motion for rehearing or some other appropriate motion in order to preserve it for appeal.").

The Final Judgment does not specifically identify or classify any liabilities, only stating that each party shall be solely responsible for any liability in that party's name. Notably, Former Husband's 2025 financial affidavit identified multiple liabilities. Because the court did not include the requisite findings, we remand for the trial court to include such findings. *See Jones*, 413 So. 3d at 244 (holding court committed fundamental error on face of judgment by not making specific written findings of fact that identify, classify, value, and distribute the parties' assets and liabilities).

AFFIRMED in part; REVERSED in part; REMANDED.

MAKAR and SOUD, JJ., concur.

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