

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

KUNTA KINTE HOLLEY, )

Appellant, )

v. )

Case No. 2D17-2407

DEPARTMENT OF REVENUE, )  
CHILD SUPPORT ENFORCEMENT )  
PROGRAM, )

Appellee. )  
\_\_\_\_\_ )

Opinion filed June 14, 2019.

Appeal from the Department of  
Revenue, Child Support Enforcement  
Program.

Debra J. Sutton of Sutton Law Firm,  
Bartow, for Appellant.

Ashley Moody, Attorney General,  
Tallahassee, and Toni C. Bernstein,  
Senior Assistant Attorney General,  
Tampa, for Appellee.

CASE, Associate Senior Judge.

Kunta Kinte Holley appeals from a final administrative support order entered by the Department of Revenue, Child Support Enforcement Program. He argues, and the Department concedes, that the Department erred in computing his

retroactive child support obligation. See § 61.30(17), Fla. Stat. (2017) (limiting the time period for recovery of retroactive child support to twenty-four months prior to filing the petition). The Department also acknowledges that it incorrectly used evidence related to Holley's current income to calculate his retroactive support obligation despite having information regarding his monthly income during the retroactive time period. See Salters v. Dep't of Revenue ex rel. Mobley, 32 So. 3d 777, 778-79 (Fla. 2d DCA 2010) (stating that the Department must calculate the retroactive support due using income information in its possession from the retroactive time period). Therefore, we affirm Holley's current support obligation but reverse his retroactive support obligation and remand for recalculation. In all other respects, we affirm.

Affirmed in part, reversed in part, and remanded.

SALARIO and ATKINSON, JJ., Concur.