# CAPTION: In re: S.D.

**05-17-23**

APPEAL NO.: C-220483

TRIAL NO.: F18-1396X

KEY WORDS: Due Process – Notice – Custody

SUMMARY:

The juvenile court erred by neither taking additional evidence on the merits of the magistrate’s custody decision nor returning the matter to the magistrate and overruling mother’s objection that she did not receive notice of the custody hearing date when mother established that the court did not send notice by mail and the magistrate only gave the date for the custody hearing a single time during a remote pretrial hearing.

JUDGMENT: Reversed and Cause Remanded

JUDGES: Opinion by Crouse, P.J.; Zayas and Kinsley, JJ., concur.