

Statute of Repose and Standing-Appeal barred by statute of repose and dismissed where biological father was not a legal parent, was not a party to the adoption below and had no standing to challenge the adoption judgment.

J.G. v. State, --- So.3d ---- (2018)

Biological father who was active in lives of his children and was *participant* in TPR proceedings against mother and legal father, yet failed to take steps to obtain legal parental rights, lacked standing to bring appeal of adoption order.

In order adjudicating children dependent, the trial court found that the mother's husband was the legal father of the children by operation of marriage, although recognizing that biological father had a relationship with the children. The court even placed the children with biological father in a *non-relative* capacity. The court subsequently terminated the parental rights of mother and legal father in 2015 and shortly thereafter removed the children from placement with biological father due to domestic abuse. More than two years later, the children were adopted by non-relatives. In 2018, biological father directly appealed the order of adoption.

The Fourth DCA dismissed the appeal finding that that it was barred by Florida's Statute of Repose, where biological father filed his appeal more than 1 year after entry of the judgment terminating parental rights, per § 63.182(1), Fla. Stat. (2015). The appellate court also found that biological father lacked standing to challenge the adoption proceedings due to his failure to seek a judgment of paternity before the court terminated the legal parents' rights, rendering him a stranger to the adoption proceedings without standing to challenge the adoption orders on appeal.