



petition, Ashley testified that Kent had a history of being physically and emotionally abusive toward her during their marriage. She did not provide details. She also testified about a recent incident where she arrived at Kent's house and observed him being arrested by the police while his girlfriend stood nearby with black eyes. The incident did not involve Ashley, and she testified that Kent had never been arrested for domestic violence against her. She admitted that there had been no recent acts or threats of violence against her by Kent. Kent denied having any history of domestic violence against Ashley. Based on this evidence, the trial court issued a final judgment of injunction for protection against domestic violence against Kent. Kent timely appealed.

A court may grant an injunction "when it appears to the court that the petitioner is either the victim of domestic violence . . . or has reasonable cause to believe that he or she is in imminent danger of becoming the victim of domestic violence." § 741.30(6)(a), Fla. Stat. (2019). We review the trial court's grant of an injunction for competent, substantial evidence. Zapiola v. Kordecki, 210 So. 3d 249, 250 (Fla. 2d DCA 2017).

Here, Ashley conceded that she was not a victim of domestic violence. She argued only that she had reasonable cause to believe that she was in imminent danger of becoming a victim of domestic violence, and the trial court granted the injunction on this basis. The evidence presented by Ashley, however, was legally insufficient to support the issuance of the injunction.

First, Ashley's unsubstantiated allegations of abuse by Kent do not support the trial court's finding that Ashley is in objectively reasonable fear of becoming

a victim of domestic violence. See Zapiola, 210 So. 3d at 250 (explaining that petitioner's allegations were too vague to provide competent substantial evidence of a reasonably objective fear); Brilhart v. Brilhart ex rel. S.L.B., 116 So. 3d 617, 619 (Fla. 2d DCA 2013) ("Unsubstantiated statements by Mr. Brilhart regarding his personal fear of S.L.B. are insufficient to support the trial court's finding that S.L.B. is a victim of domestic violence or is in reasonable fear of becoming a victim of domestic violence."); Robinson v. Robinson, 257 So. 3d 1187, 1189 (Fla. 5th DCA 2018) ("There was no testimony presented that Husband physically injured, had physical contact with, or threatened to do any physical harm or injury to Wife."). Next, the two years that had passed between the end of the parties' marriage and Ashley's filing of the petition rendered any past abuse too remote in time to support the issuance of the injunction. See Curl v. Roberts ex rel. E.C., 279 So. 3d 765, 767 (Fla. 1st DCA 2019) ("Incidents remote in time by as little as a year are insufficient to support entry of a new injunction, absent allegations of current violence or imminent danger that satisfy the statute."). Indeed, Ashley admitted at the hearing that there had been no recent violence or threats of violence from Kent. See Phillips v. Phillips, 151 So. 3d 58, 59 (Fla. 2d DCA 2014) (reversing issuance of domestic violence injunction where petitioner "acknowledged in her testimony at the injunction hearing that there had been no violence or threats of violence from Mr. Phillips since the parties' separation four months before she filed the domestic violence petition"). And, finally, Ashley's testimony about the incident surrounding Kent and his girlfriend was irrelevant because it did not involve any act or threat of violence toward Ashley. See Gill v. Gill, 50 So. 3d 772, 775 (Fla. 2d DCA 2010) (holding that Former Wife's allegations concerning the Former Husband's violent

acts toward their child did not support the issuance of an injunction in favor of the Former Wife).

Accordingly, we reverse the injunction for protection against domestic violence. Although the record indicates that the injunction has expired, we remand with instructions to vacate the injunction "because of the unintended collateral consequences that may result from such a judgment." Phillips, 151 So. 3d at 59.

Reversed and remanded.

NORTHCUTT and MORRIS, JJ., Concur.