

Third District Court of Appeal

State of Florida, January Term, A.D. 2009

Opinion filed April 22, 2009.

No. 3D08-518
Lower Tribunal No. 03-8519

Ralph Morla and Marianela Echevarria,
Petitioners,

vs.

State Farm Fire and Casualty Company,
Respondent.

An Appeal from the Circuit Court for Miami-Dade County, Thomas S. Wilson, Jr., Judge.

Rolando Gomez and Richard M. Gomez, for petitioners.

Russo Appellate Firm and Elizabeth K. Russo; Allocca & Felder and Frank J. Allocca, for respondent.

CONFESSION OF ERROR

Before RAMIREZ and ROTHENBERG, JJ., and SCHWARTZ, Senior Judge.

PER CURIAM.

Ralph Morla and Marianela Echevarria appeal the trial court's final orders of dismissal for fraud and final summary judgment on the counterclaim. Upon the

appellee State Farm Fire and Casualty Company's proper confession of procedural error, we reverse and remand to the trial court for further proceedings that would permit resolution of the factual issues raised before the fact-finder.

Reversed and remanded.