

# Third District Court of Appeal

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

Opinion filed April 15, 2009.

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No. 3D08-2007

Lower Tribunal Nos. 08-67-DFO; DO08-1457-FOI-HST

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**Ronnie Covington,**  
Appellant,

vs.

**State of Florida, Department of Health,**  
Appellee.

An Administrative Appeal from the Florida Department of Health.

William C. Robinson, for appellant.

Tracie L. Dickerson, for appellee.

Before GERSTEN, C.J., and WELLS and LAGOA, JJ.

WELLS, Judge.

## ON CONFESSION OF ERROR

Ronnie Covington appeals from a final default judgment claiming that prior to the entry of that judgment he had received no notice that an administrative

complaint had been filed against him. On the Florida Department of Health's acknowledgement that Covington was not properly served and thus entitled to the hearing that he has requested, we reverse the final order on appeal and remand for a hearing on the merits of the Department's complaint.