

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

ROSE HEALTHCARE CENTER, INC A/A/O
FREDERICK BELEN,

Petitioner,

v.

Case No. 5D20-2715

GEICO INDEMNITY INSURANCE COMPANY,

Respondent.

_____ /

Opinion filed September 10, 2021

Petition for Certiorari Review of Decision
from the Circuit Court for Orange County
Acting in its Appellate Capacity.

Chad A. Barr, of Chad Barr Law,
Altamonte Springs, for Petitioner.

Peter Weinstein, Michael Rosenberg,
and Adranna de la Cruz-Munoz, of
Cole, Scott & Kissane, P.A.,
Plantation, for Respondent.

EDWARDS, J.

Based upon our decision in *Hands On Chiropractic PL a/a/o Justin Wick v. Geico General Insurance Co.*, No. 20-2705 (Fla. 5th DCA Sept. 10, 2021), we grant the petition for writ of certiorari,¹ quash the circuit court's appellate decision in this case, and affirm the county court's summary judgment in part and reverse it in part. We remand this matter to the county court for further proceedings consistent with this opinion, including calculation of and entry of final judgment for the balance owed to Petitioner from Respondent in accordance with the above cited opinion.²

PETITION GRANTED; CIRCUIT COURT'S OPINION QUASHED. County Court's Summary Judgment AFFIRMED, in Part; REVERSED, in Part; and REMANDED to County Court with instructions.

WALLIS and WOZNIAK, JJ., concur.

¹ Under the circumstances, while we grant the petition, it will not be necessary to actually issue the writ of certiorari.

² By a separate order, we provisionally grant Petitioner's motion for appellate attorney's fees which will be determined by the county court on remand.