

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

K.C. QUALITY CARE, LLC A/A/O  
MECENE HERCULE,

Appellant,

v.

Case No. 5D21-2388  
LT Case No. 2021-CC-007674

DIRECT GENERAL INSURANCE  
COMPANY,

Appellee.

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Opinion filed September 2, 2022

Appeal from the County Court  
for Orange County,  
Amy Carter, Judge.

Chad A. Barr, of Chad Bar Law,  
Altamonte Springs, for Appellant.

William J. McFarlane, III, and  
Michael K. Mittelmark, of McFarlane  
Law, Coral Springs, for Appellee.

WALLIS, J.

KC Quality Care, LLC a/a/o Mecene Hercule ("KC Quality") appeals the order granting Direct General Insurance Company's Motion to Dismiss the complaint with prejudice. KC Quality argues that the trial court violated procedural rules by relying on a default judgment from a separate case to grant the dismissal. We agree.

It is well-established that when considering a motion to dismiss a complaint, trial courts are confined to the allegations contained within the four corners of the complaint and must accept all well-pled allegations as true. Deutsche Bank Nat'l Tr. Co. v. Lippi, 78 So. 3d 81, 84 (Fla. 5th DCA 2012). Therefore, the trial court's reliance on a judgment from a separate case that was not attached to KC Quality's complaint or incorporated by reference was error. See KC Quality Care, LLC v. Direct Gen. Ins. Co., 47 Fla. L. Weekly D1615 (Fla. 5th DCA July 29, 2022). We reverse and remand for further proceedings.

REVERSED and REMANDED.

HARRIS and SASSO, JJ., concur.