

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

LARRY GREGG,

Appellant,

v.

Case No. 5D13-3979

REEMPLOYMENT ASSISTANCE
APPEALS COMMISSION,

Appellee.

_____ /

Opinion filed January 31, 2014

Administrative Appeal from the
Reemployment Assistance Appeals
Commission.

Larry Gregg, Deltona, pro se.

Louis A. Gutierrez, of Reemployment
Assistance Appeals Commission,
Tallahassee, for Appellee.

PER CURIAM.

Larry Gregg appeals a final order of the Reemployment Assistance Appeals Commission, which dismissed as untimely his appeal of an adverse decision from the referee assigned to his case. The adverse decision was mailed to Gregg on May 30, 2013, and notified Gregg of the twenty-day appeal deadline set forth in section 443.151(4)(b), Florida Statutes (2012). Despite the timely notice, Gregg did not attempt

to appeal the referee's decision until September 13, 2013—106 days later. Although the Commission gave Gregg an opportunity to show cause why his appeal should not be considered untimely, Gregg presented nothing in response that could legally justify accepting a belated appeal. *See, e.g., Colson v. Fla. Unemp't Appeals Comm'n*, 76 So. 3d 1042 (Fla. 1st DCA 2011). As such, we affirm the Commission's decision to dismiss Gregg's appeal.

AFFIRMED.

PALMER, ORFINGER and LAWSON, JJ., concur.