

IN THE DISTRICT COURT OF APPEAL,
FIRST DISTRICT, STATE OF FLORIDA

THOMAS E. CONTRERA,
Appellant,

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

v.

CASE NO. 1D03-4301

FLORIDA UNEMPLOYMENT
APPEALS COMMISSION,

Appellee.

_____ /

Opinion filed February 2, 2005.

An appeal from an order of the Florida Unemployment Appeals Commission.
Alan Orantes Forst, Chair.

Appellant, pro se, for Appellant.

John D. Maher, Deputy General Counsel, Unemployment Appeals Commission,
Tallahassee, for Appellee.

WEBSTER, J.

In this appeal from an adverse final order of the Unemployment Appeals Commission, we have previously afforded appellant an opportunity to supplement the

record with the transcript of the hearing held before the appeals referee. Contrera v. Fla. Unemployment Appeals Comm'n, 29 Fla. L. Weekly D2789 (Fla. 1st DCA Dec. 10, 2004). The time allotted has now run, and no supplemental record has been filed. Accordingly, as we warned in our prior opinion, we are constrained to affirm. Id. (citing Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150 (Fla. 1979) for the proposition that, because decisions of lower tribunals are presumed to be correct, such a decision which rests on resolution of disputed issues of fact must be affirmed in the absence of a transcript of the evidentiary hearing or trial).

AFFIRMED.

WOLF, C.J. and BARFIELD, J., CONCUR.