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

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND

**DISPOSITION THEREOF IF FILED.** 

CASE NO. 1D11-0823

EMILY McDONALD,

Appellant,

v.

FLORIDA UNEMPLOYMENT APPEALS COMMISSION and CMS MECHANICAL,

Appellees.

Opinion filed June 13, 2011.

An appeal from an order of the Florida Unemployment Appeals Commission.

Emily McDonald, pro se, Appellant.

Louis A. Gutierrez, Assistant General Counsel, Florida Unemployment Appeals Commission, Tallahassee, for Appellees.

PER CURIAM.

Emily McDonald appeals an order of the Unemployment Appeals Commission affirming an appeals referee's decision finding her to be disqualified from the receipt of unemployment compensation benefits. In a motion to relinquish jurisdiction, the Unemployment Appeals Commission forthrightly acknowledges that the proceedings before the referee did not fully comport with the requirements of an administrative rule governing the matter. The Commission therefore requests that the court relinquish jurisdiction to it for purposes of issuing an order remanding the case to the referee for further proceedings. In accordance with this request, the final order of the Unemployment Appeals Commission being appealed herein is reversed, and the matter is remanded for further proceedings.

**REVERSED** and **REMANDED**.

BENTON, C.J., HAWKES and CLARK, JJ., CONCUR.