

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

LORRAINE J. WALTER,

Appellant,

v.

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

CASE NO. 1D11-0627

FLORIDA UNEMPLOYMENT
APPEALS COMMISSION and
BRYAN M. BERGENS, DDS,
PA,

Appellees.

Opinion filed May 10, 2012.

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

Lorraine J. Walter, pro se, Appellant.

Louis A. Gutierrez, Senior Attorney, Unemployment Appeals Commission,
Tallahassee, for Appellees.

PER CURIAM.

We affirm the order of the Florida Unemployment Appeals Commission on
the basis that the appeals referee lacked jurisdiction to consider Claimant's

untimely appeal of the determination that she was not entitled to compensation benefits. See § 443.151(4)(b)2., Fla. Stat. (providing that an appeals referee may affirm, modify, or reverse a determination “unless the appeal is untimely”); Fla. Admin. Code R. 60BB-5.007(2) (providing that if a referee finds that an appeal was not filed within the time allowed by law, “it shall be dismissed”); see also Peterson v. Fla. Unemployment Appeals Comm’n, 77 So. 3d 905, 908 (Fla. 1st DCA 2012) (noting that the late filing of an appeal deprives an appeals referee of jurisdiction to consider the merits of the underlying claim).

AFFIRMED.

DAVIS, WETHERELL, and SWANSON, JJ., CONCUR.