

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-4912

JOSEPH M. WIPPEL,

Appellant,

v.

REEMPLOYMENT ASSISTANCE
APPEALS COMMISSION,

Appellee.

On appeal from the Reemployment Assistance Appeals
Commission.

Frank E. Brown, Chairman.

December 18, 2018

PER CURIAM.

Wippel filed an appeal to the Reemployment Assistance Appeals Commission (RAAC) after he received two contradictory notifications concerning his application for reemployment assistance. RAAC dismissed the appeal as untimely, and Wippel now appeals that dismissal. RAAC concedes error, stating that it should not have dismissed the appeal if it was untimely due to overlapping agency orders. We accept this concession, and remand for a determination as to whether Wippel filed a belated appeal to RAAC due to confusion stemming from these orders. *See Ellis v. Unemployment Appeals Comm'n*, 73 So. 3d 887, 890 (Fla. 4th DCA 2011).

REVERSED and REMANDED.

OSTERHAUS, WINOKUR, and M.K. THOMAS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Joseph M. Wippel, pro se, Appellant.

Norman Blessing, General Counsel, and Cristina Velez, Appellate Counsel, Reemployment Assistance Appeals Commission, Tallahassee, for Appellee.