

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2005

BROWARD COUNTY, a political subdivision of the State of Florida,
Appellant,

v.

ANDREW RECUPERO, as personal representative of the Estate of
Theresa Colangelo; **ANDREW RECUPERO**, individually, et al.,
Appellees.

No. 4D04-2575

June 29, 2005

PER CURIAM.

We reverse a summary final judgment dismissing the county's lien foreclosure and remand for further proceedings.

The record reflects that any defect in notice was waived by Appellee's appearance and participation in the administrative hearing. We note that there was no indication that Appellee was making a limited special appearance.

STONE and MAY, JJ., concur.
FARMER, C.J., dissents without opinion.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Robert Lance Andrews, Judge; L.T. Case No. 03-10682 (09).

Sharon L. Cruz, Interim Broward County Attorney, Andrew L. Meyers, Chief Appellate Counsel, and James D. Rowlee, Assistant County Attorney, Fort Lauderdale, for appellant.

Stuart J. Mac Iver of Doumar, Allsworth, Cross, Laystrom, Voigt, Wachs, Mac Iver & Adair, LLP, Fort Lauderdale, for Appellee-Andrew Recupero.

Not final until disposition of timely filed motion for rehearing.