

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

BRIAN SPIELES and **MICHAEL SPIELES**,
Appellants,

v.

RICHARD SNYDER and **JOHN DARLSON**,
Appellees.

No. 4D04-671

[July 13, 2005]

PER CURIAM.

Brian Spieles and Michael Spieles, timely appeal from a Final Judgment for damages entered against them after default on liability was entered as a sanction for their failure to appear for the commencement of a scheduled jury trial. The appellants demonstrated excusable neglect and a meritorious defense. We therefore reverse and remand for a new trial. See *Giron v. Fairways of Sunrise Homeowners' Ass'n, Inc.*, 30 Fla. L. Weekly D1426 (Fla. 4th DCA June 8, 2005).

STEVENSON, C.J., TAYLOR and HAZOURI, JJ., concur.

* * *

Appeal from the Circuit Court for the Nineteenth Judicial Circuit, Martin County; William L. Roby, Judge; L.T. Case No. 01-158 CA.

Lisa M. Trempe and Madison B. McClellan of Gary, Williams, Parenti, Finney, Lewis, McManus, Watson & Sperando, P.L., Stuart, for appellants.

Ronald M. Gaché and Lisa G. Quarrie of Broad and Cassel, West Palm Beach, for appellee Richard Snyder.

Not final until disposition of timely filed motion for rehearing.