

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2006

AUTONATION, INC.,
Appellant,

v.

VINCENT S. ARMIJO,
Appellee.

No. 4D06-3361

[January 3, 2007]

PER CURIAM.

Vincent S. Armijo filed a confession of error with this Court. In the confession of error, Armijo stipulates that the trial court applied an incorrect legal standard concerning the construction of covenants not to compete in entering the order which Autonation, Inc. appeals in this case. As such, Armijo agrees with Autonation that this case on appeal should be reversed and remanded for further proceedings consistent with this opinion. We accept this proper confession of error and reverse.

Reversed and Remanded.

GUNTHER, STONE and TAYLOR, JJ., concur.

* * *

Appeal of a non-final order from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Miette K. Burnstein, Judge; L.T. Case No. 05-010287 (21).

Jon K. Stage, Paul R. Regensdorf and Eric K. Gabrielle of Stearns, Weaver, Miller, Weissler, Alhadeff & Sitterson, P.A., Fort Lauderdale, for appellant.

Scott M. Behren of Scott M. Behren, P.A., Weston, for appellee.

Not final until disposition of timely filed motion for rehearing