

Third District Court of Appeal

State of Florida, January Term, A.D. 2011

Opinion filed February 16, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D10-2921
Lower Tribunal No. 10-12430

Alejandro Velazquez,
Appellant,

vs.

Florida Unemployment Appeals Commission, et al.,
Appellees.

An Appeal from the Florida Unemployment Appeals Commission.

Alejandro Velazquez, in proper person.

Louis A. Gutierrez, Senior Attorney, for appellee, Florida Unemployment Appeals Commission.

Before RAMIREZ, C.J., and SUAREZ and ROTHENBERG, JJ.

PER CURIAM.

We dismiss this appeal as untimely. As in Etienne v. Simco Recycling Corp., 721 So. 2d 399 (Fla. 3d DCA 1998), our dismissal is without prejudice. Alejandro Velazquez is free to ask the Unemployment Appeals Commission to

vacate and re-enter the operative order. If the Commission cooperates, then Velazquez may timely appeal the re-entered order. If not, then he may appeal the Commission's refusal to re-enter the order.

Appeal dismissed.