

Third District Court of Appeal

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

Opinion filed August 17, 2011.
Not final until disposition of timely filed motion for rehearing.

No. 3D11-1560
Lower Tribunal No. 10-21136

Maritza Maxwell,
Appellant,

vs.

**Florida Unemployment Appeals Commission and West Flagler
Associates, Ltd,**
Appellees.

An Appeal from the Florida Unemployment Appeals Commission.

Maritza Maxwell, in proper person.

Louis A. Gutierrez (Tallahassee), for appellee, Unemployment Appeals Commission.

Before RAMIREZ and SHEPHERD, JJ., and SCHWARTZ, Senior Judge.

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. Maritza Maxwell is free to ask the Unemployment Appeals Commission to vacate

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

Appeal dismissed.