

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

GINA M. LINDEN,

Appellant,

v.

Case No. 5D17-1051

REEMPLOYMENT ASSISTANCE
APPEALS COMMISSION,

Appellee.

_____ /

Opinion filed January 5, 2018

Administrative Appeal from the
Reemployment Assistance
Appeals Commission.

Gina M. Linden, Windermere, pro se.

Amanda L. Neff, Deputy General
Counsel and Chief Appellate Attorney,
of Reemployment Assistance Appeals
Commission, Tallahassee,
for Appellee.

PER CURIAM.

Gina M. Linden appeals from an order of the Reemployment Assistance Appeals Commission ("RAAC") dismissing her appeal of an administrative decision denying unemployment compensation benefits as untimely. We affirm.

Ms. Linden contends that she had good cause for failing to timely file her appeal with the RAAC. Unfortunately, section 443.151(4)(b)1., Florida Statutes (2016), which

governs appeals from RAAC determinations, does not provide a “good cause” exception that would permit the RAAC to accept an untimely appeal. See Thurmond v. Fla. Unemployment Appeals Comm’n, 881 So. 2d 89, 91 (Fla. 1st DCA 2004). The courts have carved out a limited exception in cases where the claimant alleges the untimeliness of unemployment appeals was “occasioned by the actions of the Commission.” Assam v. Fla. Unemployment Appeals Comm’n, 871 So. 2d 978, 980 (Fla. 3d DCA 2004). However, that has not been demonstrated here. Therefore, although sympathetic to her plight, we must affirm the RAAC decision.

AFFIRMED.

ORFINGER, EVANDER and WALLIS, JJ., concur.