

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

LINDA RABER AND CECIL RABER,

Appellants,

v.

Case No. 5D19-2228

STATE FARM FLORIDA INSURANCE
COMPANY,

Appellee.

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Opinion filed January 26, 2021

Appeal from the Circuit Court
for Brevard County,
James H. Earp, Judge.

Matthew G. Struble and Christine Skubala
Cohen, of Struble, P.A., Fort Lauderdale,
for Appellants.

C. Ryan Jones and Scot E. Samis, of
Traub Lieberman Straus & Shrewsberry,
LLP, St. Petersburg, for Appellee.

PER CURIAM.

AFFIRMED. See *De La Rosa v. Fla. Peninsula Ins. Co.*, 246 So 3d 438, 442 (Fla. 4th DCA 2018) (affirming summary judgment entered in favor of insurer where insured untimely notified insurer of loss prejudicing the insurer in its ability to evaluate claim); *Keel v. Indep. Life & Accident Ins. Co.*, 99 So. 2d 225, 227 (Fla. 1957) (“[W]hen an insurer denies liability *during the period prescribed for the presentation of proof of*

loss on grounds not relating to the proof of loss, such denial will ordinarily be considered as a waiver of the provisions of the policy requiring the filing of a proof of loss.”)
(emphasis added).

EVANDER, C.J., WALLIS and SASSO, JJ., concur.