

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

JULY TERM 2006

MOHAMMED HAMDY,  
As Natural Parent, etc.,

Appellant,

v.

Case No. 5D06-2656

YAHYA KIWAN,

Appellee.

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Opinion filed December 1, 2006

Appeal from the Circuit Court  
for Putnam County,  
A.W. Nichols, Judge.

Fermin Lopez, Orlando, for Appellant.

Lorenzo Ramunno, Ocala, for Appellee.

PER CURIAM

Having considered the parties' joint stipulation, the trial court's order entitled "Order on Motion to Dismiss for Failure to Timely Amend," dated June 20, 2006, is vacated and the cause is remanded for a hearing on Appellee/Defendant's "Notice of Failure to Timely Comply with Court's Order and Motion for Dismissal with Prejudice."

VACATED and REMANDED.

PLEUS, C.J., PALMER and MONACO, JJ., concur.