

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

LILIA RODRIGUEZ,

Appellant,

v.

CASE NO. 1D07-1092

MIAMI-DADE COUNTY FIRE
RESCUE and RISK
MANAGEMENT OF DADE
COUNTY,

Appellees.

_____ /

Opinion filed January 28, 2009.

An appeal from an order of the Judge of Compensation Claims.
Sylvia Medina-Shore, Judge.

Date of Accident: July 19, 2004.

Mark L. Zientz of the Law Offices of Mark L. Zientz, P.A., Miami, for Appellant.

R.A. Cuevas, Jr., Acting Miami-Dade County Attorney, and Daniel Frastai,
Assistant County Attorney, Miami, for Appellees.

ON MOTION FOR REHEARING AND MOTION TO REMAND
TO APPROVE SETTLEMENT

PER CURIAM.

We originally affirmed the attorney's fee award in this case on December 6, 2007 on the authority of then controlling precedent, notably Murray v. Mariners Health/ACE USA, 946 So. 2d 38, 39 (Fla. 1st DCA 2006).

By order entered February 11, 2008, because Murray was pending review in the supreme court, we stayed issuance of the mandate, on appellant's motion, and extended time for filing motions for rehearing to fifteen days after the supreme court's decision on review became final.

The supreme court's decision quashing our decision in Murray has now become final, see Murray v. Mariners Health and ACE USA, ___ So. 2d ___ (Fla. Oct. 23, 2008), 33 Fla. L. Weekly S845, dictating a different result in the present case. Accordingly, we grant Lilia Rodriguez's motion for rehearing, reverse the decision of the judge of compensation claims, and remand the case with directions to approve the parties' settlement.

Reversed and remanded.

ALLEN, DAVIS, and BENTON, JJ., CONCUR.