

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

THOMAS E. RIDDELL,

Appellant,

v.

BLACK CREEK CUSTOM HOMES,
INC.,

Appellee.

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

CASE NO. 1D13-1251

Opinion filed November 15, 2013.

An appeal from the Circuit Court for Clay County.
John H. Skinner, Judge.

Thomas E. Riddell, pro se, Appellant.

Garry D. Adel of Blanchard, Merriam, Adel & Kirkland, P.A., Ocala, for Appellee.

PER CURIAM.

Appellant, Thomas E. Riddell, appeals an order of the trial court that construed his motion for relief from judgment as a motion for rehearing and dismissed the motion as untimely. The content of the motion shows it to be a motion for relief from judgment. We reverse and remand for the trial court to

reconsider the motion pursuant to Florida Rule of Civil Procedure 1.540(b).

REVERSED and REMANDED for further proceedings.

BENTON, PADOVANO, and RAY, JJ., CONCUR.