

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-4280

JOSE GOMEZ-CORTES, M.D.,

Appellant,

v.

AGENCY FOR HEALTH CARE
ADMINISTRATION,

Appellee.

On appeal from the Agency for Health Care Administration.
Justin M. Senior, Secretary.

August 24, 2018

PER CURIAM.

Appellant contends that the Agency for Health Care Administration erred when it denied his motion to vacate without affording him an evidentiary hearing to resolve the factual question of whether he received sufficient notice of AHCA's final orders. We agree. *See Reich v. Dep't of Health*, 868 So. 2d 1275, 1276 (Fla. 1st DCA 2004).

REVERSED and REMANDED.

WOLF, JAY, and WINSOR, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Sean M. Ellsworth of Ellsworth Law Firm, P.A., Miami Beach, for Appellant.

Nicholas A. Merlin, Senior Attorney, Agency for Health Care Administration, Tallahassee, for Appellee.