

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-203

DYCK-O'NEAL, INC.,

Appellant,

v.

HOANG N. NGUYEN,

Appellee.

On appeal from the Circuit Court for Duval County.
Thomas M. Beverly, Judge.

February 5, 2019

ON REMAND FROM THE FLORIDA SUPREME COURT

PER CURIAM.

The Florida Supreme Court has quashed the decision in this case and remanded with instructions that we reconsider the matter in light of its decision in *Dyck-O'Neal, Inc. v. Lanham*, 43 Fla. L. Weekly S278 (Fla. July 5, 2018). In compliance with the Florida Supreme Court's directive, we reverse the trial court's dismissal order and remand this case for determination on the merits of Dyck-O'Neal's deficiency claim.

REVERSED and REMANDED.

B.L. THOMAS, C.J., and LEWIS and MAKAR, JJ., concur.

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

Susan B. Morrison, of Law Offices of Susan B. Morrison, P.A., and David M. Snyder, of David M. Snyder, and Joshua D. Moore, of Law Offices of Daniel C. Consuegra, Tampa, for Appellant.

Gregory S. Gilbert, of Parker & DuFresne, P.A., Jacksonville, for Appellee.