

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
July Term 2005

MANNIE BRADLEY and **CAROLYN V. BRADLEY**, his wife,
Appellants,

v.

UNION CARBIDE CORPORATION,
Appellee.

No. 4D04-2767

[October 19, 2005]

PER CURIAM.

The trial court dismissed Appellants' action on grounds of forum non conveniens. We reverse, as the order is founded on an untimely motion. *See Fox v. Union Carbide Corp.*, No. 4D04-2769 (Fla. 4th DCA Sept. 21, 2005). We remand for further proceedings.

STONE, SHAHOOD and MAY, JJ., concur.

* * *

Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Timothy P. McCarthy, Judge; L.T. Case No. 502003CA007731XXASAD.

James L. Ferraro and David A. Jagolinzer of Ferraro & Associates, P.A., Miami, for appellants.

Evelyn M. Fletcher and Nathan M. Thompson of Hawkins & Parnell, LLP, Atlanta, Georgia, for appellee.

Not final until disposition of timely filed motion for rehearing.