

Third District Court of Appeal

State of Florida

Opinion filed December 17, 2014.

No. 3D12-2808
Lower Tribunal No. 09-84934

Warren Lally,
Appellant,

vs.

City of Homestead, et. al.,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, David C. Miller, Judge.

Schuler, Halvorson, Weisser & Zoeller, P.A., Jason D. Weisser and David M. Kerner (West Palm Beach); Burlington & Rockenbach, P.A., Andrew A. Harris and Bard D. Rockenbach (West Palm Beach), for appellant.

Weiss Serota Helfman Cole Bierman & Popok, P.L., Edward G. Guedes, Laura K. Wendell, Kelly Rains Jesson, Michael Popok and Samuel I. Zeskind, for appellee.

Before ROTHENBERG, SALTER and FERNANDEZ, JJ.

PER CURIAM.

ON CONFESSION OF ERROR

Based upon appellee's confession of error, and in light of Masone v. City of Aventura, 147 So. 3d 492 (Fla. 2014), we reverse the final judgment and remand to the trial court for further proceedings.

Reversed and remanded.