

# Third District Court of Appeal

## State of Florida

Opinion filed October 4, 2017.

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No. 3D16-1917  
Lower Tribunal No. 15-14888

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**Martha Zamora and Odilio P. Fuentes,**  
Appellants,

vs.

**Tower Hill Prime Insurance Company,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Jorge E. Cueto,  
Judge.

David B. Pakula, P.A., and David B. Pakula (Pembroke Pines); Perry &  
Neblett, P.A., and David A. Neblett and Jack Wynn, for appellants.

Methe & Rockenbach, P.A., and Kara Berard Rockenbach (West Palm  
Beach), for appellee.

Before LOGUE, LUCK and LINDSEY, JJ.

*ON CONFESSION OF ERROR*

PER CURIAM.

Martha Zamora and Odilio P. Fuentes, the plaintiffs below, appeal an order granting final summary judgment in favor of their insurer, Tower Hill Prime Insurance Company. Upon Tower Hill's commendable confession of error, and because genuine issues of material fact exist as to the amount of the actual cash value of the insured loss at hand, we reverse the final summary judgment and remand the case to the trial court for further proceedings. See § 627.7011(3)(a), Fla. Stat. (2016); Siegel v. Tower Hill Signature Ins. Co., 3D16-1861, at \*10-11 (Fla. 3d DCA Aug. 30, 2017); Francis v. Tower Hill Prime Ins. Co., 42 Fla. L. Weekly D1565 (Fla. 3d DCA July 12, 2017).

Reversed and remanded.