

Third District Court of Appeal

State of Florida

Opinion filed January 17, 2024.

No. 3D23-0413
Lower Tribunal No. 22-18876

Alon Blum,
Appellant,

vs.

Timothy Lillis, etc.,
Appellee.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Jose M. Rodriguez, Judge.

Luks, Santaniello, Petrillo, Cohen & Peterfriend, and Daniel S. Weinger, Jack Garwood, and Luis Menendez-Aponte, for appellant.

Leto Law Firm, and Matthew P. Leto, for appellee.

Before SCALES, HENDON, and MILLER, JJ.

ON CONFESSION OF ERROR

PER CURIAM.

Based on the appellee's proper confession of error, we reverse the nonfinal Order Denying Defendant's Motion to Dismiss for Failure to Make Timely Service. See Monaco v. Nealon, 810 So. 2d 1084, 1086 (Fla. 4th DCA 2002) ("Failure to timely file an affidavit of compliance alone warrants quashing of the substituted service."). Further, we remand for further proceedings to allow the appellee to effectuate service of process over the appellant.

Reversed and remanded.