

# Third District Court of Appeal

State of Florida

Opinion filed July 9, 2025.

Not final until disposition of timely filed motion for rehearing.

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No. 3D24-1340  
Lower Tribunal No. 21-9939-FC-04

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**Ervin Jose Roblero,**  
Appellant,

vs.

**Gladys Velasquez,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ivonne Cuesta, Judge.

Karen B. Parker, P.A., and Karen B. Parker, for appellant.

No appearance, for appellee.

Before SCALES, C.J., and EMAS and MILLER, JJ.

PER CURIAM.

Upon our review, we affirm, holding that the issues raised by appellant were not properly preserved for appellate review. See Fla. Fam. L. R. P. 12.490(e)(3) (“On receipt of a recommended order, the court must review the recommended order and must enter the order promptly unless the court finds that the recommended order is facially or legally deficient, in which case, it must identify the deficiency by written order and remand to the general magistrate to address and, if necessary, conduct further proceedings without the necessity of a new order of referral to general magistrate. **Any party affected by the order may move to vacate the order by filing a motion to vacate within 15 days from the date of entry.**”) (emphasis added); Mio Gourmet Prods., LLC v. 645 W 27 LLC, 320 So. 3d 998 (Fla. 3d DCA 2021) (“The consequence of not filing exceptions [to a general magistrate’s report and recommendation] is a failure to preserve the issue for appellate review.”) (quoting Garrison v. PHH Mortg. Corp., 298 So. 3d 116, 118 (Fla. 1st DCA 2020)); Fluhart v. Rasmussen, 383 So. 3d 889, 889-90 (Fla. 5th DCA 2024) (en banc) (holding that appellant’s “failure to move to vacate the GM’s recommended final judgment adopted by the trial court resulted in a failure to preserve for appellate review” the issues raised on appeal).

Affirmed.