

NOT FINAL UNTIL TIME EXPIRES
TO FILE REHEARING MOTION
AND, IF FILED, DISPOSED OF.

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
JANUARY TERM A.D., 2004

URSULA RIETTER,

Appellant,

vs.

FLORIDA UNEMPLOYMENT APPEALS
COMMISSION and CHARLES ORVIETTO,

Appellees.

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** CASE NO. 3D03-1810

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** LOWER TRIBUNAL
CASE NO. 03-4513

**

Opinion filed June 30, 2004.

An appeal from the Florida Unemployment Appeals Commission.

Ursula Rietter, in proper person.

John D. Maher (Tallahassee), for appellee Florida
Unemployment Appeals Commission.

Before LEVY, FLETCHER, and WELLS, JJ.

PER CURIAM.

Ursula Rietter appeals from a final order of the
Unemployment Appeals Commission affirming the unemployment
compensation appeals referee's determination that Rietter was

ineligible for benefits due to misconduct connected with her work. We affirm.

The standard of review of an administrative agency's adjudicative findings is whether those findings are supported by substantial competent record evidence. See Gfroerer v. Unemployment Appeals Comm'n, 864 So. 2d 1290 (Fla. 5th DCA 2004). Our review of the record reveals that there is substantial competent evidence supporting the referee's finding that Rietter was dismissed for misconduct connected with her work and is thus ineligible to receive unemployment compensation benefits.

Rietter also contends that she was not given an opportunity at the hearing to offer her version of why she was dismissed from her job. However, the record shows that the appeals referee advised Rietter that she was entitled to ask questions and make statements on her own behalf. She was asked if she understood the hearing procedures to which question Rietter responded in the affirmative. The record shows that the appeals referee gave Rietter the opportunity to ask questions after the allegations of misconduct were presented; to offer additional testimony of her own; and to make a closing statement.

We therefore affirm the final order of the Unemployment Appeals Commission.