

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

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

LAW OFFICES OF RAMON  
DE LA CABADA, P.A.,

\*\*

Appellant,

\*\*

vs.

CASE NO. 3D04-1085

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MERCEDES A. PINEDA and  
FLORIDA UNEMPLOYMENT  
APPEALS COMMISSION,

\*\*

LOWER

\*\*

TRIBUNAL NO. 04-01293

Appellees.

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Opinion filed December 15, 2004.

An appeal from the Florida Unemployment Appeals Commission.

Ramon De La Cabada, for appellant.

John D. Maher (Tallahassee), Deputy General Counsel for  
appellee Unemployment Appeals Commission.

Before COPE, FLETCHER and RAMIREZ, JJ.

PER CURIAM.

The Law Offices of Ramon De La Cabada, P.A., appeal an order

of the Florida Unemployment Appeals Commission granting unemployment benefits. We agree with the Commission that the incident leading to the discharge of the appellee claimant was, as stated by the Commission, "at most, an exercise of poor judgment rather than misconduct connected with work." See Bigler v. Florida Unemployment Appeals Comm'n, 841 So. 2d 610 (Fla. 3d DCA 2003).

Affirmed.