

# Third District Court of Appeal

State of Florida, July Term, A.D., 2013

Opinion filed December 18, 2013.

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No. 3D13-2078  
Lower Tribunal No. 13-15538

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**Angels Diagnostic Group, Inc., etc.,**  
Appellant,

vs.

**State Farm Mutual Automobile Insurance Company, etc., and State  
Farm Fire and Casualty Company, etc.,**  
Appellees.

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

Marlene S. Reiss, for appellant.

Akerman Senterfitt, and Nancy A. Copperthwaite and Marcy Levine  
Aldrich, for appellees.

Before LAGOA, EMAS and LOGUE, JJ.

ON CONFESSION OF ERROR

PER CURIAM.

Appellant, Angels Diagnostic Group, Inc. (“Angels”), appeals from a Final  
Default Judgment in favor of Appellees, State Farm Mutual Automobile Insurance

Company and State Farm Fire and Casualty Company (collectively, “State Farm”), and from an order denying Angels’s motion for rehearing. Based upon State Farm’s commendable confession of error, and our own independent review of the record, we conclude that the trial court erred in failing to grant Angels’s motion for rehearing and in denying its motion to set aside the Final Default Judgment.

We reverse the trial court’s order denying Angels’s motion for rehearing and remand with instructions to set aside the Final Default Judgment and for further proceedings consistent with this opinion.

**REVERSED and REMANDED.**