

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

VALERIE SAPP,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D11-3697

MIAMI-DADE POLICE
DEPARTMENT and MIAMI-
DADE COUNTY RISK
MANAGEMENT,

Appellees.

Opinion filed March 20, 2012.

An appeal from an order of the Judge of Compensation Claims.
Gerardo Castiello, Judge.

Date of Accident: August 3, 2003.

Mark L. Zientz of the Law Offices of Mark L. Zientz, P.A., Miami, for Appellants.

R.A. Cuevas, Jr., Miami-Dade County Attorney, and Daron S. Fitch, Assistant
County Attorney, Miami, for Appellees.

THOMAS, J.

REVERSED and REMANDED for the Judge of Compensation Claims to
determine, solely on the basis of the record without further receipt of evidence or
argument, whether the Employer/Carrier had good cause for the lack of specificity

of its initial response to Claimant's fee motion, or for the untimeliness of its amended response to Claimant's fee motion, and for a ruling on fees given that finding as to good cause. See Fla. Admin. Code R. 60Q-6.124(3)(b); Morrison Mgmt. Specialists/Xchanging Integrated Servs. Group, Inc. v. Pierre, 77 So. 3d 662 (Fla. 1st DCA 2011) (remanding for determination of whether good cause existed for late filing of response to motion for attorney's fees); Lias v. Anderson & Shah Roofing, Inc., 867 So. 2d 599 (Fla. 1st DCA 2004) (reversing judge's deviation from limited scope of remand, and again remanding for determination of factual issue "without the taking of further testimony" and entry of ruling resulting from that determination).

DAVIS and RAY, JJ., CONCUR.