

# Third District Court of Appeal

State of Florida, July Term, A.D. 2011

Opinion filed October 26, 2011.

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No. 3D11-1512  
Lower Tribunal No. 11-3020

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**Citizens Property Insurance Company,**  
Appellant,

vs.

**Luis De Los Cuetos,**  
Appellee.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Gisela Cardonne Ely, Judge.

DeMahy Labrador Drake Victor Payne & Cabeza and Orlando D. Cabeza and Rachel M. Coe (Fort Lauderdale), for appellant.

Alvarez, Carbonell, Feltman, Jimenez & Gomez and Paul B. Feltman, for appellee.

Before WELLS, C.J., and SUAREZ and FERNANDEZ, JJ.

On Confession of Error

SUAREZ, J.

Based on the Appellee's proper confession of error and our own independent review of the record, we reverse the trial court's non-final order compelling

appraisal and remand for an evidentiary hearing to determine whether post-loss obligations were sufficiently met under the policy. See Citizens Prop. Ins. Corp. v. Gutierrez, 59 So. 3d 177 (Fla. 3d DCA 2011); Citizens Prop. Ins. Corp. v. Mango Hill Condo. Ass'n 12, 54 So. 3d 578 (Fla. 3d DCA 2011); Citizens Prop. Ins. Corp. v. Maytin, 51 So. 3d 591 (Fla. 3d DCA 2010); Citizens Prop. Ins. Corp. v. Galeria Villas Condo. Ass'n, 48 So. 3d 188 (Fla. 3d DCA 2010).

Reversed and remanded.