

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT JULY TERM 2004

JOHN W. PRICE,

Appellant,

v. CASE NO. 4D04-252

UNEMPLOYMENT APPEALS
COMMISSION and OLIVE
GLEN CONDOMINIUM,

Appellees.

Opinion filed November 24, 2004

Appeal from the State of Florida, Unemployment Appeals
Commission; L.T. Case No. 03-12843.

Leah H. Mayersohn of the Law Offices of Leah H. Mayersohn,
P.A., Fort Lauderdale, for appellant.

John D. Maher, Tallahassee, for appellee Unemployment
Appeals Commission.

PER CURIAM.

After an appeals referee determined that former employee, John Price, was not eligible for unemployment compensation benefits, Price appealed to the Florida Unemployment Appeals Commission (UAC). The UAC dismissed Price's appeal as untimely. Price now seeks review of that order of dismissal. For the reasons set forth below, we vacate the order appealed.

On October 20, 2003, the appeals referee mailed the order determining that Price had been discharged for misconduct and was not entitled to unemployment compensation. Then, on October 27, 2003, the referee mailed a "Notice of Determination," requiring Price to repay a \$6,682 overpayment. On November 14, 2003, Price submitted a timely appeal of the order requiring repayment, but his appeal directed to the order regarding his entitlement to benefits was late. The Commission ordered Price to show cause as to why the appeal from the benefits determination should not