

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE, COUNTY**

TOMAS H. BALLESTEROS &
MARTHA J. GONZALEZ,

Appellants,

Third DCA Case No.:

Lower Tribunal Case No.:
2022-016268-CA-01

vs.

3023-1796

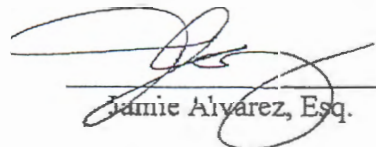
FLORIDA PENINSULA INSURANCE
COMPANY

Appellee.

NOTICE OF APPEAL

NOTICE IS GIVEN that TOMAS H. BALLESTEROS & MARTHA J. GONZALEZ, Appellants, appeal to the Third District Court of Appeal the Order of this Court rendered on September 7, 2023. The nature of the order is a dismissal of Plaintiff's suit pursuant to Fla. Stat. §627.70152.

A conformed copy of said order is attached hereto in compliance with Rule 9.110(d).


Jamie Alvarez, Esq.

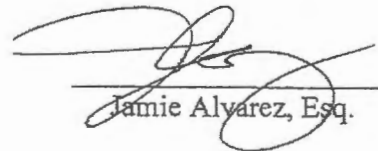
Shield Law Group of FL
Attorney for Appellants
15751 Sheridan Street
Suite #300
Davie, FL 33331
(786)-496-2223

STATE OF FLORIDA, COUNTY OF MIAMI-DADE
I HEREBY CERTIFY that the foregoing is a true and correct copy of the
Original on file in this office 10-10 AD 20 23
Deputy Clerk [Signature]
12662



CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of October 2023, a true and correct copy has been submitted via electronic mail through the E-filing portal upon Donald Lavigne, Esq., and Oscar Lombana, Esq., **SALEHI BOYER LAVIGNE LOMBANA, P.A.**, Attorneys for FLORIDA PENINSULA INSURANCE COMPANY, to the following email addresses: pleadings@salehiboyer.com; akoronis@ecf.courtdrive.com; olombana@salehiboyer.com; and dlavigne@salehiboyer.com.



Jamie Alvarez, Esq.

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2022-016268-CA-01

SECTION: CA27

JUDGE: William Thomas

TOMAS H. BALLESTEROS et al

Plaintiff(s)

vs.

FLORIDA PENINSULA INSURANCE COMPANY

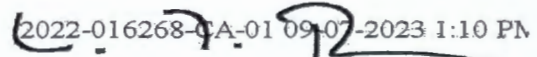
Defendant(s)

**ORDER ON DEFENDANT'S MOTION TO DISMISS PLAINTIFFS' COMPLAINT BASED
ON FAILURE TO COMPLY WITH SB76**

THIS CAUSE having come on to be heard on the Defendant's Motion to Dismiss Plaintiffs' Complaint based on Failure to Comply with SB76 (Docket # 46), for the Hearing on August 30th, 2023, the Court having reviewed the Motion, heard argument of counsel, and being otherwise fully advised in the premises, it is hereby **ORDERED** that:

1. Defendant's Motion to Dismiss Plaintiffs' Complaint Based on Failure to Comply with SB76 hereby **GRANTED**.
2. The Case is dismissed without Prejudice.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 7th day of September, 2023.


2022-016268-CA-01 09-07-2023 1:10 PM

2022-016268-CA-01 09-07-2023 1:10 PM

Hon. William Thomas

CIRCUIT COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS #: 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

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