

Third District Court of Appeal

State of Florida

Opinion filed May 27, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-2247
Lower Tribunal No. 25-2566-CP-02

Manuel A. Menocal,
Appellant,

vs.

Mark Harrington, etc., et al.,
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Jose L. Fernandez, Judge.

Manuel A. Menocal, in proper person.

Marlow, Adler, Abrams & Rotunno, and Philip Glatzer and Jose I. Valdes, for appellees.

Before SCALES, C.J., and FERNANDEZ and GOODEN, JJ.

PER CURIAM.

On Confession Of Error

Appellant Manuel A. Menocal, *pro se*, appeals a July 3, 2025 order granting the motion to dismiss of the predecessor personal representative of the Estates of Anna Nikolic and Lieselotte Schnarr, thereby dismissing Menocal's amended complaint with prejudice. After the filing of Menocal's initial brief, appellee Mark Harrington, the current personal representative, filed a confession of error with this Court suggesting that, in granting the dismissal motion, the trial court considered material beyond the four corners of Menocal's amended complaint. We treat Harrington's confession of error as an answer brief and, without opining on whether the confession of error contains a correct recitation of the law, we summarily reverse the challenged order pursuant to Florida Rule of Appellate Procedure 9.315(b) and remand for further proceedings. All pending motions are denied as moot.

Reversed based on confession of error.