

Third District Court of Appeal

State of Florida

Opinion filed July 22, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-2282
Lower Tribunal No. 25-01347

Noel H. Blenman,
Appellant,

vs.

Paychex PEO II LLC, et al.,
Appellees.

An Appeal from the State of Florida, Reemployment Assistance Appeals Commission.

Noel Blenman, in proper person.

Katie E. Sabo, Appellate Counsel (Tallahassee) for Reemployment Assistance Appeals Commission.

Before MILLER, GORDO, and GOODEN, JJ.

MILLER, J.

Noel H. Blenman seeks review of an order of the Reemployment Assistance Appeals Commission affirming the denial of reemployment assistance benefits on the grounds that competent, substantial evidence supported the determination by the referee that Blenman was not discharged, but rather voluntarily separated from his employment. We recognize, as did the Commission, that the referee's decision was grounded in the weight he afforded to vastly different competing testimony. And for the first time in these proceedings, Blenman has offered a series of text messages that ostensibly contradict certain aspects of the employer's presentation. But Blenman has failed to identify in his initial brief the requisite reversible error identified in section 120.68(7), Florida Statutes (2025). As the Commission correctly posits, therefore, any such error is deemed forfeited. See D.H. v. Adept Cmty. Servs., Inc., 271 So. 3d 870, 880 (Fla. 2018) ("Claims of error not raised by an appellant in its initial brief are deemed abandoned."); A.B. v. Agency for Health Care Admin., 389 So. 3d 640, 640 (Fla. 3d DCA 2023) (and cases cited therein) (the failure to raise an issue in the initial brief waives the issue on appeal). Accordingly, we affirm the decision under review.

Affirmed.