

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 110 SOUTH TAMARIND AVENUE, WEST PALM BEACH, FL 33401

March 16, 2022

CASE NO.: 4D22-0406

L.T. No.: CACE20-010534

BERTHA MONTES DE OCA

v. PARK WAY BAPTIST CHURCH

Appellant / Petitioner(s)

Appellee / Respondent(s)

BY ORDER OF THE COURT:

ORDERED sua sponte that the above-styled appeal is dismissed as untimely filed.
CONNER, C.J., GERBER and KUNTZ, JJ., concur.

Served:

cc: George Hatch

Bertha Montes De Oca

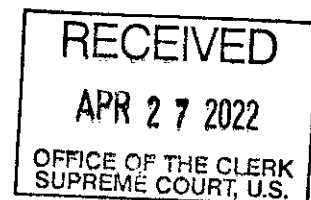
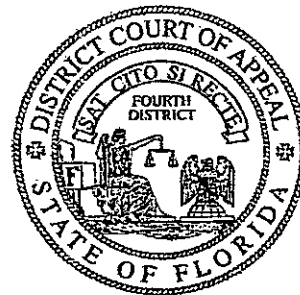
Clerk Broward

Hon. Michael A. Robinson

dl



LONN WEISSBLUM, Clerk
Fourth District Court of Appeal



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**IN THE CIRCUIT COURT OF THE 17TH JUDICIAL CIRCUIT
IN AND FOR BROWARD COUNTY, FLORIDA**

CASE NO. CACE20010534 DIVISION 13 JUDGE Michael Robinson

Bertha Montes De Oca
Plaintiff(s) / Petitioner(s)

v.

Park Way Baptist Church
Defendant(s) / Respondent(s)

_____ /

ORDER GRANTING MOTION TO DISMISS

THIS CAUSE came before the Court on December 16, 2021, for consideration of Defendant's Motion to Dismiss Plaintiff's Second Amended Complaint and the Court, having considered the motion and being otherwise advised in the premises, ORDERS as follows:

1. Plaintiff has incorrectly named Pine Island Baptist Church Inc., d/b/a Parkway Baptist Church^[1] as a Defendant in this action.
2. The allegations of Plaintiff's Second Amended Complaint are directed at a hospital, which has not been named as a defendant in this action.
3. Plaintiff has therefore failed to state a claim against the Defendant Pine Island Baptist Church Inc., d/b/a Parkway Baptist Church and the Motion to Dismiss Plaintiff's Second Amended Complaint is GRANTED.
4. Plaintiff's Second Amended Complaint is being DISMISSED WITH PREJUDICE with respect to Pine Island Baptist Church Inc., d/b/a Parkway Baptist Church.

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5. Nothing in this order precludes Plaintiff from filing suit against the correct entity.

[1] Plaintiff pled Defendant as "Park Way Baptist Church."

DONE and ORDERED in Chambers, at Broward County, Florida on 12-20-2021.

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Hon. Michael Robinson

CIRCUIT JUDGE

Electronically Signed by Michael Robinson

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