

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

**Daniella Paez, Individually and as Personal Representative of the
Estate of Elena Lucia Barrabi v. Saluscare, Inc.**

Paez · No. 6D2024-2240 · Decided February 6, 2026

OPINION

Daniella Paez, Individually and as Personal Representative of the Estate of Elena Lucia Barrabi v. Saluscare, Inc.

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ Case No. 6D2024-2240 Lower Tribunal No. 23-CA-000867
_____ DANIELLA PAEZ, Individually and as Personal
Representative of the ESTATE OF ELENA LUCIA BARRABI, deceased, Appellant, v.
SALUSCARE, INC.,

Appellee. _____ Appeal from the Circuit Court for Lee County.
James Shenko, Judge. February 6, 2026 PER CURIAM. Appellant appeals the final judgment entered following the trial court's granting of summary judgment in favor of Appellee. Appellee filed a confession of error, and we agree that the trial court erred in granting summary judgment. 1 Therefore, we accept the confession of error, reverse the final judgment, and 1 We are not bound by an appellee's confession of error. Foster v. State, 395 So. 3d 127, 130 (Fla. 2024). remand this case to the trial court for further proceedings consistent with this opinion. REVERSED and REMANDED. TRAVER, C.J., and MIZE and KAMOUTSAS, JJ., concur. Philip D. Parrish, of Philip D. Parrish, P.A., Miami, and Diana Santa Maria, of Law Offices of Diana Santa Maria, P.A., Fort Lauderdale, for Appellant. Michael R. D'Lugo, of Wicker Smith O'Hara McCoy & Ford, P.A., Orlando, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF TIMELY FILED

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