Third District Court of Appeal

State of Florida

Opinion filed November 18, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D24-1665
Lower Tribunal No. 18-40070-CA-01

Universal Property & Casualty Insurance Company,
Appellant/Cross-Appellee,

vs.

Roman Sinyavsky, et al.,
Appellees/Cross-Appellants.

A Cross-Appeal from the Circuit Court for Miami-Dade County, Charles Kenneth Johnson, Judge.

Russo Lima Appellate Firm, P.A., and Paulo R. Lima, for appellant/cross-appellee.

Kula & Associates, P.A., and Elliot B. Kula, and William D. Mueller, for appellees/cross-appellants.

Before MILLER, GORDO and BOKOR, JJ.

BOKOR, J.

Universal Property & Casualty Insurance Company appeals a final judgment for property damage entered after a jury verdict in favor of the insureds, Roman and Yelena Sinyavsky, in a first-party property claim. The insureds cross-appeal the denial of pre-judgment interest. Universal voluntarily dismissed its appeal. Later, after briefing, Universal commendably confessed error as to the cross-appeal, agreeing with the insureds that this court should "reverse and remand with instructions for the trial court to award [the insureds'] prejudgment interest." Upon consideration of the record, the briefing, Universal's confession of error, and the insured's response thereto, we agree.[1]

We therefore reverse and remand on the cross-appeal with instructions for the trial court to award the insured's pre-judgment interest.

Reversed and remanded with instructions.

[1] Universal subsequently filed a suggestion of mootness of the cross-appeal, which the insureds opposed. Universal suggested that the appeal was mooted by the payment and acceptance of the corrected amount of prejudgment interest. Based on the facts present here, we disagree. An erroneous final judgment remains outstanding, notwithstanding the payment and acceptance. Universal got it right the first time—this matter should be reversed and remanded for entry of a corrected final judgment.