

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JAMES R. BUCK, RYAN BUCK,
OSCAR HAYES, and MCLEAN
TECHNOLOGIES, INC.,

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

Appellants,

CASE NO. 1D04-4441

v.

ITN/GRATE PALLET, INC. and
RICHARD S. LUDLOW,

Appellees.

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Opinion filed February 7, 2005.

An appeal from the Circuit Court for Duval County.
Charles W. Arnold, Judge.

Richard R. Thames and Bradley R. Markey of Stutsman & Thames, P.A.,
Jacksonville, for Appellants.

James H. Post of Smith, Hulsey & Busey, Jacksonville; Howell Hollis III, of Smith
Moore, LLP, Atlanta, Georgia; Jacob A. Brown of Ackerman Senterfitt & Eidson,
Jacksonville; William L. Finger, Jacksonville; and W. David Vaughn of Hayden,
Facciolo & Vaughn, P.A., Jacksonville, for Appellees.

PER CURIAM.

Having considered the appellants' response to this Court's order of October 26,
2004, this appeal is hereby DISMISSED. See S.L.T. Warehouse Co. v. Webb, 304 So.

2d 97 (Fla. 1974); Bennett's Leasing Inc. v. First Street Mortgage Corp., 870 So. 2d 93, 97-98 n.4 (Fla. 1st DCA 2003). Specifically, the order on appeal reserved jurisdiction to determine whether or not certain property will be included in the proposed sale of the assignor's property. Such a reservation necessarily renders the order on appeal nonfinal.

ERVIN, BROWNING, and HAWKES, JJ., CONCUR.