

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

MAXIE BROOME, JR., and
YULEEN V. BROOME,

Appellants,

v.

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

CASE NO. 1D04-5099

PEOPLES FIRST COMMUNITY
BANK,

Appellee.

_____ /

Opinion filed August 19, 2005.

An appeal from the Circuit Court for Duval County.
Charles O. Mitchell, Jr., Judge.

Appellants, pro se.

Sherri Denton Mallory of Mallory & Mallory, Panama City, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of January 19, 2005, the Court has determined that the Order Denying Defendants Motion for Stay; or in the Alternative Motion for Reconsideration, entered on October 7, 2004, is not an appealable order. Accordingly, the appeal is hereby dismissed. The

dismissal is without prejudice to the appellant's right to seek any available relief pursuant to Florida Rule of Appellate Procedure 9.310(f).

ALLEN, LEWIS and HAWKES, JJ., CONCUR.