

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

ACROCRETE, INC.,

Appellant,

v.

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

CASE NO. 1D06-0024

ANTHONY DERCK and MARY
DERCK, STALNAKER
CONSTRUCTION, INC., AS
SUCCESSOR IN INTEREST TO
AND CONTINUATION OF
REMODELING BY DAVE
STALNAKER, INC., ATRIUM
COMPANIES, INC.

Appellees.

Opinion filed August 8, 2006.

An appeal from the Circuit Court for Walton County.
David W. Green, Judge.

Keith E. Hope of the Hope Law Firm, P.A., Holmes Beach, for Appellant.

Bruce D. Partington of Clark, Partington, Hart, Larry, Bond & Stackhouse, Pensacola,
for Appellees.

PER CURIAM.

The circuit court has certified that the missing portion of the transcript cannot
be reconstructed and that the parties cannot prepare a stipulated statement of the

evidence or obtain an approved statement of the evidence pursuant to Florida Rule of Appellate Procedure 9.200. Accordingly, the final order is reversed and remanded for a new final hearing.

REVERSED and REMANDED.

ALLEN, DAVIS, and THOMAS, JJ., CONCUR.