

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

JONI MACRI, NICODEMO (NIC)
MACRI, and the ESTATE OF
JENA MACRI, deceased,

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

Appellants,

v.

CASE NO. 1D06-3318

CLEMENTS AND ASHMORE,
P.A. d/b/a NORTH FLORIDA
WOMEN'S CARE, DAVID
O'BRYAN, M.D., RACHEL
DEPART, CNM,

Appellees.

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Opinion filed November 3, 2006.

An appeal from the Circuit Court for Leon County.
Janet E. Ferris, Judge.

Donald M. Hinkle of Hinkle & Foran, Tallahassee, for Appellants.

Rogelio J. Fontela of Dennis Bowman Jackson Martin & Fontela, Tallahassee, for Appellees Clements and Ashmore, P.A. d/b/a North Florida Women's Care and David O'Bryan, M.D.; Douglas P. Jones and Harold R. Mardenborough, Jr., of Carr Allison Firm, Tallahassee, for Appellee Rachel Depart, CNM; Wilbur E. Brewton of Roetzel & Andress, L.P.A., Tallahassee, for Florida Birth-Related Neurological Injury Compensation Association.

PER CURIAM.

Upon consideration of the parties' responses to the Court's orders of July 12, 2006, and August 2, 2006, the Court has determined that this appeal was prematurely filed. Accordingly, the appeal is hereby dismissed for lack of jurisdiction.

KAHN, WEBSTER, and VAN NORTWICK, JJ., CONCUR.