

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

ERIN A. SMITH, n/k/a ERIN A.
KELLER, Wife ,

Appellant,

v.

ANDRE C. SMITH, Husband,

Appellee.

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

CASE NO. 1D06-5401

Opinion filed December 27, 2006.

An appeal from the Circuit Court for Bay County.
Richard Albritton, Judge.

John J. Uskert, Fishers, IN, for Appellant.

Alvin L. Peters, Panama City, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's orders of October 24, 2006, and November 16, 2006, the Court has determined that the order on appeal is not an appealable order. Specifically, because related claims for injunctive relief remain pending below, the lower tribunal's labor is incomplete. Accordingly, the appeal is hereby dismissed as premature. The appellant's "Motion for Orders

Pursuant to Rule 9.110(k) and (l), Fla. R. App. P., and Motion for Extension of Time Within Which to File Initial Brief,” filed in conjunction with the response to the Court’s show cause order is denied.

BROWNING, C.J., DAVIS, and LEWIS, JJ., CONCUR.