

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2005*

**ROGER S. TRONTZ,**  
Appellant,

v.

**STEVEN L. WINIG, ESQUIRE, ET AL.,**  
Appellee.

No. 4D04-226

[July 6, 2005]

WARNER, J.

Appellant challenges a summary final judgment foreclosing his attorney's charging lien on his homestead property. Because appellant failed to challenge, and in fact agreed to, the earlier final order that specifically applied the charging lien to appellant's homestead, we affirm. The order granting the lien was an appealable final order, and appellant did not appeal it. *See, e.g., Shawzin v. Donald J. Sasser, P.A.*, 658 So. 2d 1148 (Fla. 4th DCA 1995); *Albert v. Goldman-Link, P.A.*, 661 So. 2d 1293 (Fla. 4th DCA 1995). Moreover, unlike *Sherbill v. Miller Manufacturing Co.*, 89 So. 2d 28 (Fla. 1956), on which appellant relies, here appellant specifically agreed to a charging lien on his homestead property, described in the order as an agreed disposition of his attorney's claim. He also specifically waived his homestead protection as to the property. This specific agreed waiver in settlement of the claim distinguishes this case from *Sherbill*.

KLEIN and TAYLOR, JJ., CONCUR.

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Appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; John D. Wessel, Judge; L.T. Case No. 03-9969 CAAW.

Randall W. Henley, West Palm Beach, for appellant.

Lynn G. Waxman of Lynn G. Waxman, P.A. and Steven L. Winig of Brody, Cohen & Winig, P.A., West Palm Beach, for appellee.

***Not final until disposition of timely filed motion for rehearing.***