NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL

OF FLORIDA

SECOND DISTRICT

JONATHAN HUTCHINSON,)
Petitioner,)
V.) Case No. 2D17-1310
HERBERT ANDERSON,)
Respondent.)

Opinion filed September 6, 2017.

Petition for Writ of Certiorari to the Circuit Court for Collier County; Hugh Hayes, Judge.

Mark Goldstein, Miami, for Petitioner.

Jesse Gubernat, Banker Lopez Gassler, Fort Myers; Dee Ann McLemore and Charles Hall, Banker Lopez Gassler, P.A., St. Petersburg; and Stanley Plappert, Ocala, for Respondent.

PER CURIAM.

We grant the petition for writ of certiorari, quash the trial court's "Order Granting Order to Show Cause." See CB Condos., Inc. v. GRS S. Fla., Inc., 165 So. 3d 739, 742 (Fla. 4th DCA 2015) (reversing sanctions order that did not and could not find the nonparty deponent in contempt because the evidence did not establish that the

nonparty failed to be sworn or to answer a question after being directed to do so by the court); Morell v. Booth, 29 So. 3d 429, 429 (Fla. 5th DCA 2010) (concluding that the trial court erred by imposing sanctions against a nonparty, absent a finding of contempt).

Petition granted; order quashed.

SILBERMAN, SLEET, and LUCAS JJ., Concur.