

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

TERESA L. STEVENS and TIFFANY S.)
STEVENS,)
)
Appellants,)
)
v.)
)
MAYRA ESCOBAR-TRINIDAD and)
JORGE SOTO-LOPEZ,)
)
Appellees.)
_____)

Case Nos. 2D12-375
2D12-385

CONSOLIDATED

Opinion filed November 16, 2012.

Appeals pursuant to Fla. R. App. P. 9.130
from the Circuit Court for Hillsborough
County; Herbert J. Baumann, Jr., Judge.

Mark D. Tinker and Charles W. Hall of
Banker Lopez Gassler, P.A., St. Petersburg,
for Appellants.

Alina M. Morros of Fiol Law Group, P.A.,
Tampa, for Appellees.

MORRIS, Judge.

Teresa L. Stevens and Tiffany S. Stevens appeal a nonfinal order in circuit
court case number 2010-CA-007825 directing them to respond to a counterclaim. We
affirm that order without comment. The Stevenses also appeal a nonfinal order in circuit

court case number 2010-CA-022015 directing them to file an answer.¹ However, circuit court case number 2010-CA-022015 had already been voluntarily dismissed by the appellees, Mayra Escobar-Trinidad and Jorge Soto-Lopez, at the time the circuit court entered the order. The circuit court thus lacked in personam jurisdiction over the Stevenses in that case. See Biggers v. Town of Davie, 674 So. 2d 938, 939 (Fla. 4th DCA 1996). Accordingly, the order in circuit court case number 2010-CA-022015 directing the Stevenses to file an answer is reversed.

Affirmed in part and reversed in part.

KELLY and VILLANTI, JJ., Concur.

¹The two orders on appeal effectively determine the jurisdiction over the Stevenses. Thus we have jurisdiction pursuant to Florida Rule of Appellate Procedure 9.130(a)(3)(C)(i).