

ARKANSAS COURT OF APPEALS

DIVISION I
No. CV-17-376

DAVID TRIBBLE AND DANNY
TRIBBLE

APPELLANTS

V.

FIRST SECURITY BANK, JASON
TRIBBLE, AND JENNIFER TRIBBLE

APPELLEES

Opinion Delivered March 7, 2018

APPEAL FROM THE BAXTER
COUNTY CIRCUIT COURT
[NO. 03CV-10-321]

HONORABLE ROBERT
MCCORKINDALE, JUDGE

DISMISSED WITHOUT PREJUDICE

BRANDON J. HARRISON, Judge

David and Danny Tribble appeal the circuit court's order granting summary judgment and entering a foreclosure decree in favor of First Security Bank. We dismiss for lack of a final, appealable order. There is no final order with respect to (1) Danny and David's complaint against Jason and Jennifer Tribble and (2) Jason and Jennifer's counterclaim against Danny and David. An order is not final that adjudicates fewer than all the claims or the rights and liabilities of fewer than all the parties. *Ver Weire v. CNA Fin. Corp.*, 92 Ark. App. 353, 213 S.W.3d 646 (2005). Arkansas Rule of Civil Procedure 54(b) allows a circuit court, when it finds no just reason for delaying an appeal, to direct entry of a final judgment as to fewer than all the claims or parties by executing a certification of final judgment. *Id.* There is no Rule 54(b) certificate. Consequently, we lack jurisdiction over this appeal and dismiss it without prejudice.

Dismissed without prejudice.

KLAPPENBACH and BROWN, JJ., agree.

Larry J. Steele PLC, by: *Larry J. Steele*, for appellants.

Ronald P. Kincade, for appellee First Security Bank.