

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

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

MILES WEISS,

Appellant,

v.

Case No. 5D15-1923

DAYTONA GRAND, INC., ET AL.,

Appellees.

_____ /

Opinion filed June 24, 2016

Final Appeal from the Circuit
Court for Volusia County,
William A. Parsons, Judge.

Christopher W. Wickersham, Jr., of
Law Office of C.W. Wickersham Jr.,
P.A., Jacksonville, for Appellant.

Sarah Metz and Frank S. Ganz, of
Smith Bigman Brock, Daytona
Beach, for Appellee, Daytona Grand,
Inc.

No appearance for other appellees.

PER CURIAM.

Miles Weiss appeals the order entered by the trial court denying his motion to intervene and issuing a temporary injunction in favor of Daytona Grand, Inc. Although filed as an appeal of a non-final order, we sua sponte have reviewed this case as a final

appeal, in that the denial of a motion to intervene is a final appealable order. See Superior Fence & Rail of N. Fla. v. Lucas, 35 So. 3d 104 (Fla. 5th DCA 2010).¹ Determining that no abuse of discretion by the trial court has been shown, we affirm the denial of the motion to intervene. In light of that determination, Weiss lacks standing to challenge the temporary injunction order. See Mkt. Tampa Invs., LLC v. Stobaugh, 177 So. 3d 31 (Fla. 2d DCA 2015).

AFFIRMED.

PALMER, TORPY and LAMBERT, JJ., concur.

¹ The appendices filed by the parties provided the court with an adequate basis upon which to decide the case and, therefore, the court did not order a record to be transmitted.