

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

JASON DANIEL TAYLOR,

Appellant,

v.

Case No. 5D20-318

STATE OF FLORIDA,

Appellee.

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Decision filed January 15, 2021

Appeal from the Circuit Court  
for Lake County,  
G. Richard Singeltary, Judge.

Jason Daniel Taylor, Tavares, pro se.

Ashley Moody, Attorney General,  
Tallahassee, and Rebecca Rock  
McGuigan, Assistant Attorney General,  
Daytona Beach, for Appellee.

PER CURIAM.

AFFIRMED.

EVANDER, C.J., and EDWARDS, J., concur.  
SASSO, J., dissents, with opinion.

SASSO, J., dissenting.

Appellant, Jason Daniel Taylor, appeals from an order denying his “Motion Refuting the Accuracy of the Written Transcripts from the Original Recorded Court Proceeding.” Appellant alleges the transcript at issue is relevant to his pending motion for postconviction relief, which he filed pursuant to Florida Rule of Criminal Procedure 3.850. However, the postconviction court has not disposed of Appellant’s 3.850 motion, as it is pending an evidentiary hearing. Accordingly, we lack jurisdiction to hear this appeal because the order denying Appellant’s motion is neither a final order nor an appealable nonfinal order. See Fla. R. Crim. P. 9.140; *State v. Gaines*, 770 So. 2d 1221, 1223–24 (Fla. 2000) (“[T]he test employed by the appellate court to determine finality of an order, judgment or decree is whether the order in question constitutes an end to the judicial labor in the cause, and nothing further remains to be done by the court to effectuate a termination of the cause as between the parties directly affected.”) (citation omitted). Further, even if treated as a petition for writ of certiorari, Appellant has failed to allege irreparable harm necessary to meet the jurisdictional threshold for review. See, e.g., *Jaye v. Royal Saxon, Inc.*, 720 So. 2d 214, 215 (Fla. 1998). Consequently, I would dismiss this case for lack of jurisdiction.