

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

JANUARY TERM 2007

JAMES KEELLINGS, et al. ,

Appellants,

v.

Case No. 5D05-4493

MARK VALLERY,

Appellee.

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Opinion filed April 13, 2007

Appeal from the Circuit Court
for Orange County,
Cynthia Z. Mackinnon, Judge.

Margaret A. Wharton of Margaret A.
Wharton, P.A., Oviedo, for Appellants.

James R. Lussier of Mateer & Harbert,
P.A., Orlando, for Appellee.

PER CURIAM.

Appellant raises two points on appeal. First, he disputes the propriety of the lower court's summary judgment that dismissed Mark Vallery as a party. Second, he challenges a partial summary judgment adjudicating certain factual issues in claims that remain pending against other parties. We affirm the summary judgment that dismissed Vallery. As to Appellant's second point, we dismiss the appeal because it is premature.

AFFIRMED in part; DISMISSED in part.

TORPY, LAWSON and EVANDER, JJ., concur.