

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

JULY TERM 2006

WALLACE B. HINSHAW, JR.,

Appellant,

v.

Case No. 5D05-785

WACHOVIA BANK, N.A., F/K/A
FIRST UNION NATIONAL BANK,

Appellee.

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Opinion filed August 4, 2006

Appeal from the Circuit Court
for Osceola County,
R. James Stroker, Judge.

Sharon Lee Stedman, Orlando, for
Appellant.

John H. Pelzer and Stephen M. Teplin of
Ruden, McClosky, Smith, Schuster &
Russell, P.A., Fort Lauderdale, for
Appellee.

PLEUS, C.J.

Given the absence of a timely challenge to the arbitration award or presentation of a viable issue to the trial court which had not been submitted to arbitration, the trial court was correct in confirming the arbitration award and entering final judgment in favor of Wachovia. §§ 682.12, 682.13, 682.15, Fla. Stat. See *A-1 Roofing v. Select*

Contracting, Inc., 865 So. 2d 601 (Fla. 3d DCA 2002). See also *Meade v. Lumbermen's Mutual Cas. Co.*, 423 So. 2d 908 (Fla. 1982).

Hinshaw also challenges the separate, post-judgment order awarding Wachovia attorney's fees and costs. However, Hinshaw's failure to direct a timely notice of appeal to this final, distinct order precludes appellate review. See *Mendoza v. Mendoza*, 842 So. 2d 1020 (Fla. 5th DCA 2003); *Miller v. Nassofer*, 484 So. 2d 619 (Fla. 5th DCA 1986). See also *Bove v. Ocwen Financial Corp.*, 763 So. 2d 347 (Fla. 4th DCA 1998).

AFFIRMED.

GRIFFIN and LAWSON, JJ., concur.