

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

JANUARY TERM 2010

JOHN GRAHAM,

Appellant,

v.

Case No. 5D09-670

RIVER RANCH CATTLE COMPANY, LLC,
ET AL.,

Appellees.

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Opinion filed June 4, 2010

Appeal from the Circuit Court
for Brevard County,
Bruce Jacobus, Judge.

Harry E. Geissinger, III, Palm Beach,
for Appellant.

River Ranch Cattle Company LLC,
Granada Hills, California, pro se.

PER CURIAM.

In light of the pendency of a compulsory counterclaim for partition of the property subject to the appealed summary judgment of foreclosure, we dismiss this appeal for lack of jurisdiction without prejudice to appellant's right to seek review upon entry of a final appealable order. See Knaus Sys., Inc. v. Aye, 757 So. 2d 582, 582 (Fla. 1st DCA 2000).

DISMISSED.

SAWAYA, ORFINGER and TORPY, JJ., concur.