

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

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

HOMEOWNERS ASSOCIATION OF
THE SHORES, INC., acting by and
through its Board of Directors, Martin
Heflin, Charles Mann, Nancy Ames,
John Dorsett, and Charles Dilcher,

CASE NO. 1D02-4121

Appellants,

v.

JACK M. SMITH ,

Appellee.

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Opinion filed October 24, 2003.

An appeal from the Circuit Court of Bay County, Glenn L. Hess, Judge.

William Peter Martin of Dennis, Bowman, Jackson, Martin & Fontela, P.A.,
Tallahassee, for Appellants.

Jack G. Williams, Panama City, for Appellee.

PER CURIAM.

To the extent the trial court refused to allow appellant to recover its properly
taxable costs, the order on appeal is reversed. See Fla. R. Civ. P. 1.420(d).

Appellant has shown no abuse of discretion in the trial court's denial of attorneys' fees pursuant to section 57.105(1), Florida Statutes.

AFFIRMED in part, REVERSED in part, and REMANDED.

ERVIN, BOOTH, and KAHN, JJ., concur.