

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

STATE OF FLORIDA, BOARD OF
TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF
THE STATE OF FLORIDA and
STATE OF FLORIDA,
DEPARTMENT OF
ENVIRONMENTAL PROTECTION,

Appellants,

v.

PAUL R. CHAFIN, ALVA L.
CHAFIN, HIS WIFE, WALTER W.
CASON, JR., JACQUELINE
PHELPS CASON, HIS WIFE, and
ALTON LAND d/b/a LAND'S
PALM TREE SERVICE,

Appellees.

PAUL R. CHAFIN, ALVA L.
CHAFIN, WALTER W. CASON,
JR., and JACQUELINE PHELPS
CASON,

Appellants,

v.

STATE OF FLORIDA, BOARD OF
TRUSTEES OF THE INTERNAL
IMPROVEMENT TRUST FUND OF
THE STATE OF FLORIDA, STATE

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

CASE NOS. 1D04-4488/04-4492

OF FLORIDA, DEPARTMENT OF
ENVIRONMENTAL PROTECTION,
and ALTON LAND d/b/a LAND'S
PALM TREE SERVICE,

Appellees.

Opinion filed December 7, 2005.

An appeal from the Circuit Court for Levy County.
Maurice V. Giunta, Judge.

Christine A. Guard, Department of Environmental Protection, Tallahassee, for
Appellants Board of Trustees of the Internal Improvement Trust Fund of the State of
Florida and Department of Environmental Protection.

Robert Moeller, Cross City, for Appellee Alton Land d/b/a Land's Palm Tree Service.

Terrance A. Bostic, Tampa, for Appellees Paul R. Chafin, Alva L. Chafin, Walter W.
Cason, Jr., and Jacqueline P. Cason.

PER CURIAM.

The order of the trial court dismissing the action for failure to prosecute
pursuant to the provisions of Florida Rule of Civil Procedure 1.420(e) is REVERSED
and the cases REMANDED for further proceedings. See Wilson v. Salamon, 30 Fla.
L. Weekly S701 (Fla. Oct. 20, 2005).

ERVIN, ALLEN and POLSTON, JJ., CONCUR.