

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

FOSTER W. GULLEY,

Appellant,

v.

LAKEVIEW CENTER, INC.,

Appellee.

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

CASE NO. 1D04-4616

Opinion filed February 15, 2005.

An appeal from the Circuit Court for Escambia County.
Frank L. Bell, Judge.

Appellant, pro se.

Millard L. Fretland, Pensacola, for Appellee.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of December 29, 2004, the Court has determined that the order on appeal is not a final order. See Benton v. Moore, 655 So. 2d 1272 (Fla. 1st DCA 1995); see also Augustin v. Blount, 573 So. 2d 104 (Fla. 1st DCA 1991). Accordingly, the appeal is hereby

dismissed for lack of jurisdiction. In light of this dismissal, the appellant's "Motion for Default - Redress," filed on January 25, 2005, is denied as moot.

BARFIELD, WEBSTER, and DAVIS, JJ., CONCUR.