

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

MUTT J. DANIEL and ROBYN
M. DANIEL, his wife,

Appellants,

v.

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

CASE NO. 1D07-2514

DOUGLAS P. WOODCOCK and
CORINNE D. WOODCOCK, his
wife,

Appellees.

_____ /

Opinion filed August 27, 2007.

An appeal from the Circuit Court for Nassau County.
Brian J. Davis, Judge.

Clyde W. Davis, Fernandina Beach, for Appellants.

No appearance for Appellees.

PER CURIAM.

Upon consideration of the appellants' response, this appeal is hereby
DISMISSED as premature. See Polk County v. Sofka, 702 So. 2d 1243 (Fla. 1997)
(quashing decision of the appellate court because it lacked jurisdiction even though
the stipulated final judgment had incorporated a settlement agreement, which

expressly provided for jurisdiction in the appellate court); Lovett v. City of Jacksonville Beach, 187 So. 2d 96, 99 (Fla. 1 st DCA 1966) (stating appellate court jurisdiction “cannot be conferred by stipulation or endowed by action of the court”); Irvine v. T. Southwood 1295, Inc., 948 So. 2d 981 (Fla. 1st DCA 2007); Mass. Life Ins. Co. v. Crapo, 918 So. 2d 393 (Fla. 1st DCA 2006) (holding pending claims are interrelated and the order is not immediately appealable partial final judgment even if different legal theories or additional facts are involved in the separate counts).

ALLEN, WOLF, and LEWIS, JJ., CONCUR.