

KELLEY'S FWB FOODS, INC., a
Florida Corporation, d/b/a
KELLEY'S SUPERVALU
FOODS, CHARLES R. KELLEY,
JR., and MICHAEL A. KELLEY,

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

Appellants,

v.

CASE NO. 1D07-4248

CHOCTAW PLAZA, LTD., a
Florida Limited Partnership

Appellee.

_____ /

Opinion filed November 6, 2007.

An appeal from the Circuit Court for Okaloosa County.
Thomas T. Remington, Judge.

D. Michael Chesser and Allison R. Sebastian of Chesser & Barr, P. A., Shalimar,
for Appellants.

Michael W. Mead, Ft. Walton Beach, for Appellee.

PER CURIAM.

Upon consideration of the appellants' responses to the Court's orders of
September 11, 2007, and September 27, 2007, the Court has determined that the order
on appeal is a non-appealable nonfinal order. See Raymond James & Assoc., Inc. v.

Godshall, 851 So. 2d 879 (Fla. 1st DCA 2003). Accordingly, the appeal is hereby dismissed for lack of jurisdiction.

KAHN, PADOVANO, and HAWKES, JJ., CONCUR.