

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

CAROL Y. MCNAIR,

Appellant,

v.

CASE NO. 1D08-2187

EDGAR DAFFIN, COVE HOMES,
and COVE HOMES, INC. and RUTH
AUSTIN and WILLIE SANDERS,

Appellees.

Opinion filed July 24, 2008.

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

Carol Y. McNair, pro se, Appellant.

Rowlett W. Bryant, Panama City, for Appellees.

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of May 7, 2008, the Court has determined that the appellant has failed to demonstrate that the April 28, 2008, notice of appeal timely invoked the Court's jurisdiction to review the Summary Final Judgment. Specifically, because the appellant's March 18, 2008, motion contains no certificate of service, the Court is unable to determine whether the motion was timely served pursuant to Florida Rule of Civil Procedure 1.530(b). Consequently, it is unclear whether the motion delayed rendition of the underlying final order. Fla. R. App. P. 9.020(h). Accordingly, the appeal is hereby dismissed.

DISMISSED.

BARFIELD, WEBSTER, and HAWKES, JJ., CONCUR.