

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

DANIEL P. ARTHUR, and  
FLORENCE D. GATA,

Appellants,

v.

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

CASE NO. 1D09-0981

STEPHEN F. SMITH, EDITH  
ELLEN SMITH, and WAYNE E.  
DOUGLAS, SR.,

Appellees.

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Opinion filed May 19, 2009.

An appeal from the Circuit Court for Bradford County.  
Peter K. Sieg, Judge.

Daniel P. Arthur, and Florence D. Gata, pro se, Appellants.

James J. Taylor, Keystone Heights, for Appellees.

PER CURIAM.

Upon consideration of the appellants' response to the Court's order of  
March 5, 2009, the Court has determined that the December 30, 2008, order does

not represent a conclusion to the judicial labor in this matter. The claims disposed of by the orders on appeal are inextricably intertwined with the counterclaims that remain pending, and the appeal is therefore premature. Cf. Mass. Life Ins. Co. v. Crapo, 918 So. 2d 393 (Fla. 1st DCA 2006). Accordingly, the appeal is hereby dismissed as premature.

BARFIELD, KAHN, and WEBSTER, JJ., CONCUR.