

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

PATRICIA W. HULL, as legal
guardian of LOLA BROWN
WHEELER,

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

Appellant,

v.

CASE NO. 1D10-6520

JENNIFER BYROM,
Individually and as the Former
Voluntary Guardian of LOLA
BROWN WHEELER, JENNIFER
BYROM, P.A., a Florida
corporation; FIDELITY AND
DEPOSIT COMPANY OF
MARYLAND,

Appellees.

Opinion filed December 15, 2011.

An appeal from the Circuit Court for Santa Rosa County.
David Rimmer, Judge.

Lois B. Lepp and Karen Sunnenberg of Lois B. Lepp, P.A., Pensacola, for
Appellant.

Kenneth B. Bell and Robert J. Powell of Clark, Partington, Hart, Larry, Bond &
Stackhouse, Pensacola, for Appellees.

PER CURIAM.

We affirm the dismissal of Byrom, P.A. as a party to the underlying
surcharge action. However, we decline to reach the issue of whether the trial court

erred in striking portions of the surcharge petition as that issue was prematurely raised and is properly considered at the conclusion of all judicial labor. See Cole v. Bayley Prods., Inc., 661 So. 2d 1299, 1300 (Fla. 4th DCA 1995) (determining that an interlocutory order on motion to strike is not reviewable prior to final judgment).

AFFIRMED in part, DISMISSED in part.

WOLF, HAWKES, and ROBERTS, JJ., CONCUR.