

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

IZAAK WALTON INVESTORS,  
LLC., SHERWOOD  
PARTNERS, LLC, GULF TO  
BAY YANKEETOWN, LLC,  
RDG PARTNERS, L.P., JAMES  
SHERWOOD, ROBERT E.  
DOWDELL, DENNIS  
CHOOKASZIAN, KAREN  
CHOOKASZIAN, MICHAEL J.  
SPITTLER, MICHAEL A.  
PARTIARCA, PETER  
SPITTLER, and MICHAEL  
CHOOKASZIAN,

Appellants,

v.

BRANCH BANKING AND  
TRUST COMPANY, a North  
Carolina banking institution,  
successor in interest to Colonial  
Bank by asset acquisition from the  
FDIC as Receiver for Colonial  
Bank,

Appellee.

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

CASE NO. 1D11-4839

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Opinion filed November 22, 2011.

An appeal from the Circuit Court for Levy County.  
Robert E. Roundtree, Jr., Judge.

Kimberly L. Sharpe of Johnson, Pope, Bokor Ruppel & Burns, LLP, Clearwater, for Appellants.

John A. Anthony, and Allison C. Doucette of Anthony & Partners, LLC, Tampa, for Appellee.

PER CURIAM.

DISMISSED. See Bennett's Leasing, Inc. v. First Street Mortgage Corp., 870 So. 2d 93 (Fla. 1st DCA 2003) (dismissing appeal and holding a motion to vacate directed at a nonfinal order is not a motion filed under rule 1.540, Florida Rules of Civil Procedure). All pending motions are denied as moot.

HAWKES, MARSTILLER, and RAY, JJ., CONCUR.