

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

OLD DOMINION INSURANCE
COMPANY,

Appellant,

v.

D. R. HORTON, INC.
JACKSONVILLE,

Appellee.

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

CASE NO. 1D13-0022

Opinion filed February 8, 2013.

An appeal from the Circuit Court for Duval County.
Jean M. Johnson, Judge.

Hinda Klein of Abel Lurvey Morrow & Schefer, Hollywood; John E. Herndon, Jr.,
of Krevens, Abel, Tallahassee, for Appellant.

William E. Kuntz and Allison McElheney, Jacksonville; Lee Wedekind,
Jacksonville, for Appellee.

PER CURIAM.

The Court has determined that the Findings of Fact, Conclusions of Law and
Entry of Default Judgment Against Old Dominion, is a nonfinal, non-appealable
order. See Heartland Exp., Inc. of Iowa v. Torres, 89 So. 3d 1074 (Fla. 1st DCA

2012); Hernando County v. Leisure Hills, Inc., 648 So. 2d 257 (Fla. 5th DCA 1994). Accordingly, Appellee's motion to dismiss, filed on January 7, 2013, is granted and the appeal is hereby DISMISSED.

WOLF, THOMAS, and MARSTILLER, JJ., CONCUR.