

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

DIANA P. MACE AS TRUSTEE,  
STEVEN B. MACE AND  
JENNIFER MACE,

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

Appellants,

CASE NO. 1D14-3595

v.

SRMOF II 2012-1 TRUST, U.S.  
BANK TRUST NATIONAL  
ASSOCIATION, NOT IN ITS  
INDIVIDUAL CAPACITY BUT  
SOLELY AS TRUSTEE,

Appellee.

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Opinion filed December 22, 2014.

An appeal from an order of the Circuit Court for Alachua County.  
Stanley H. Griffis, III, Judge.

Niles B. Whitten, Gainesville, for Appellants.

No appearance for Appellee.

PER CURIAM.

Appellants timely brought this appeal seeking review of an order of the circuit court that approved, ratified, confirmed, and adopted the general magistrate's recommendation that a final judgment of foreclosure be entered in

favor of the plaintiff. Although the court adopted that recommendation, it failed to enter a final judgment. Because the judicial labor required to enter a final judgment of foreclosure has yet to be concluded, the appeal is premature. Cf. § 45.0315, Fla. Stat. (2010) (providing that the indebtedness may be cured and a foreclosure sale prevented “by paying the amount of moneys specified in the judgment, order, or decree of foreclosure”); Fla. R. Civ. P. Form 1.996(a) (“Final Judgment of Foreclosure”). Therefore, the order did not complete the judicial labor required of the cause and the appeal is premature. See Caufield v. Cantele, 837 So. 2d 371, 375 (Fla. 2002) (reaffirming the traditional test for finality requiring that “no further action by the court will be necessary”). Accordingly, the appeal is dismissed.

PADOVANO, MARSTILLER, and OSTERHAUS, JJ., CONCUR.