

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D17-1949

WILLIE J. PREYER, MILDRED
PREYER,

Appellants,

v.

EMERALD COAST UTILITIES
AUTHORITY, CAROLYN JOHNSON,
and CALLIE ANDERSON,

Appellees.

On appeal from the Circuit Court for Escambia County.
William P. White, Jr., and Darlene F. Dickey, Judges.

May 3, 2018

PER CURIAM.

Appellants seek review of an order dismissing their cross-claim with prejudice. The underlying action to apportion funds pursuant to section 73.101, Florida Statutes, remains pending. The Court has therefore determined that the appeal is premature. *See S.L.T. Warehouse Co. v. Webb*, 304 So. 2d 97, 99 (Fla. 1974) (if an order does not finally end the judicial labor required, "piecemeal appeals will not be permitted where claims are interrelated and involve the same transaction and the same parties remain in the suit.") Accordingly, Appellees' motion to dismiss is granted and the appeal is dismissed as premature.

WOLF, BILBREY, and KELSEY, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.

Robert Allen, Pensacola, for Appellants.

J. Alistair McKenzie of the McKenzie Law Firm, P.A., Pensacola, for Appellees Carolyn Johnson and Callie Anderson.

No appearance for Emerald Coast Utilities Authority.