

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D18-2775

T.W., Father of B.L. and S.W.,
Minor children,

Appellant,

v.

DEPARTMENT OF CHILDREN AND
FAMILIES,

Appellee.

On appeal from the Circuit Court for Columbia County.
Leandra G. Johnson, Judge.

September 28, 2018

PER CURIAM.

Appellant, the father in this termination of parental rights case, seeks review of an April 3, 2018, order of disposition terminating his parental rights. The appeal was not filed within 30 days of rendition of the order of disposition. In response to our order to show cause, Appellant argues the order is not final because additional judicial labor is required and contemplated. Specifically, the order directs the Department of Children and Families to file an Adoption Case Plan pursuant to section 39.811(8), Florida Statutes (2017), which the court will accept and adopt upon filing. However, the trial court's acceptance and adoption of an amended case plan pursuant to section 39.811(8)

at some time in the future does not interfere with the finality of the order of disposition for purposes of a parent's right to appeal.

Because Appellant did not timely seek review of the order of disposition, the appeal is hereby DISMISSED. This dismissal is without prejudice to Appellant's right to seek relief in the trial court. *In the Interest of E.H.*, 609 So. 2d 1289 (Fla. 1992).

ROBERTS, KELSEY, and WINSOR, JJ., concur.

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

Dana A. Taylor of the Law Office of Dana A. Taylor, P.A., Live Oak, for Appellant.

Ward L. Metzger, Appellate Counsel, Children's Legal Services, Jacksonville, for Appellee.

Thomasina Moore, Statewide Director of Appeals, and Sara Elizabeth Goldfarb, Appellate Counsel, Guardian ad Litem Program, Tallahassee.