

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

---

No. 1D19-2205

---

RADLEY CAPITAL INVESTMENTS,  
LLC,

Appellant,

v.

ROEFSCO HOGAN, LLC, a Nevada  
Domestic Liability Company,  
FIALKOW & CO. INC., a Georgia  
for profit corporation, ROEFSCO,  
LLC, a Georgia Limited Liability  
Company, EMANUEL FIALKOW,  
an individual, SCOTT COHEN, an  
individual,

Appellees.

---

On appeal from the Circuit Court for Duval County.  
Katie L. Dearing, Judge.

September 9, 2019

PER CURIAM.

Upon consideration of Appellant's response, the Court has determined that the appeal must be dismissed because the order on appeal does not constitute an appealable partial final judgment. *See Jensen v. Whetstine*, 985 So. 2d 1218, 1220 (Fla. 1st DCA 2008). Although Appellant asserts that the order on appeal is otherwise

appealable as a nonfinal order pursuant to Florida Rule of Appellate Procedure 9.130(a)(3)(C)(ii), we disagree. Therefore, the motion to dismiss is granted. This appeal is hereby DISMISSED.

LEWIS, MAKAR, and JAY, JJ., concur.

---

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

---

Jennifer A. Englert of The Orlando Law Group, PL, Orlando, for Appellant.

Jacob A. Brown of Akerman LLP, Jacksonville and Kristen M. Fiore of Akerman LLP, Tallahassee, for Appellees.