

FIRST DISTRICT COURT OF APPEAL  
STATE OF FLORIDA

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No. 1D21-1197

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MALEANA GAY, f/k/a/ Maleana  
Mann,

Appellant,

v.

TIMOTHY MANN,

Appellee.

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On appeal from the Circuit Court for Nassau County.  
Lester B. Bass, Judge.

August 18, 2021

PER CURIAM.

Appellant seeks review of an order denying her amended motion to set aside a final judgment of dissolution of marriage. Appellant timely filed a motion for rehearing on the order, which was denied. More than five months after the order on appeal was rendered, Appellant filed her notice of appeal. However, because the motion for rehearing was unauthorized and did not toll the time for the filing of a notice of appeal, the notice of appeal was untimely.

Only authorized and timely motions for rehearing toll rendition of an order. Fla. R. App. P. 9.020(h)(1). Motions for rehearing on orders denying a motion for relief from judgment are

not authorized and do not toll the time for filing a notice of appeal. *See* Fla. R. App. P. 9.130(a)(5); *see also* *Frantz v. Moore*, 772 So. 2d 581, 581 (Fla. 1st DCA 2000) (dismissing an appeal for lack of jurisdiction “[b]ecause a motion for rehearing of an order denying a motion for relief from judgment is not authorized, the motion for rehearing did not toll the time for filing a notice of appeal.”); *see also* *Catalano v. Catalano*, 516 So. 2d 77 (Fla. 5th DCA 1987); *Talley v. Canal Indemnity Co.*, 558 So. 2d 1088 (Fla. 4th DCA 1990) (Anstead, J., concurring). Accordingly, we dismiss this appeal for lack of jurisdiction.

DISMISSED.

B.L. THOMAS, ROBERTS, and LONG, JJ., concur.

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

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William S. Graessle of William S. Graessle, P.A., Jacksonville, for Appellant.

No appearance for Appellee.