

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D22-0438

TYRONE L. SMITH,

Appellant,

v.

SANTA ROSA C.I.,

Appellee.

On appeal from the Circuit Court for Santa Rosa County.
Darlene F. Dickey, Judge.

November 2, 2022

PER CURIAM.

This appeal is of an order denying a motion for relief from judgment. The motion, which asserted fraud, was filed more than a year after rendition of the judgment, so it was untimely. *See Fla. R. Civ. P. 1.540(b)*. For us to consider an appeal from a denial of such a motion, the motion for relief from judgment must be both authorized and timely. *See Fla. R. App. P. 9.130(a)(5)*.

DISMISSED. All pending motions denied as moot.

RAY, KELSEY, and TANENBAUM, JJ., concur.

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

Tyrone L. Smith, pro se, Appellant.

Ashley Moody, Attorney General, and Kelly R. Forren, Assistant Attorney General, Tallahassee, for Appellee.