

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

JANICE KNOX, WINTHROP S. KNOX, and WILLIAM C. TAGLAND,
Appellants,

v.

PPC, LLC, a Florida limited liability company, **POOL PEOPLE
COMMERCIAL, INC.**, a Florida corporation, **RECREATIONAL DESIGN &
CONSTRUCTION, INC.**, a Florida corporation, **STEVEN L. SIEMS,**
individually, and **JOE CERRONE,**
Appellees.

No. 4D13-3494

[June 10, 2015]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit,
Broward County; Michael L. Gates, Judge; L.T. Case No. 06008018CACE
12.

Mark K. McCulloch of Brownstone, P.A., Winter Park, for appellants.

John J. Shahady and Thomas R. Shahady of Kopelowitz Ostrow, Fort
Lauderdale, for appellees.

PER CURIAM.

Appellants Janice Knox, Winthrop S. Knox, and William C. Tagland appeal the order granting Appellees PPC, LLC, Recreational Design & Construction, Inc., Steven L. Siems, and Joe Cerrone's amended motion for contempt and sanctions against Appellants entered prior to a final judgment in Appellees' favor. Appellants challenge the trial court's finding of contempt, as well as the trial court's award of attorneys' fees and costs to Appellees as a sanction in the order of contempt. Because Appellants have failed to provide an adequate record on appeal, we are unable to review the finding of contempt and therefore affirm. *Bak v. Bak*, 947 So. 2d 621, 621 (Fla. 4th DCA 2007) (citing *Applegate v. Barnett Bank of Tallahassee*, 377 So. 2d 1150 (Fla. 1979)).

As to the award of attorneys' fees, we have previously noted that "orders awarding attorneys' fees are only final and therefore appealable once the trial court has set the *amount* of those fees." *Alexopoulos v. Gordon*

Hargrove & James, P.A., 109 So. 3d 248, 250 (Fla. 4th DCA 2013) (emphasis in original). “An order merely finding *entitlement* to attorneys’ fees is a non-final, non-appealable order.” *Id.* (emphasis in original). The same is true of an award of attorneys’ fees as a sanction against a party in favor of the other. See *Cummings v. Campbell*, 7 So. 3d 1135, 1137 (Fla. 4th DCA 2009). Whereas there has been no final judgment as to the amount of the award of attorneys’ fees against Appellants in the instant case, we dismiss the appeal as to this issue because it is premature. See *id.*

Affirmed in part; Dismissed in part.

CIKLIN, FORST and KLINGENSMITH, JJ., concur.

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Not final until disposition of timely filed motion for rehearing.