

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

BAY LIFE AIR CONDITIONING, INC., a)
Florida corporation,)
)
Appellant,)
)
v.)
)
K&C CORK & BOTTLE, LLC d/b/a)
TWO HENRYS BREWING, a Florida)
limited liability company,)
)
Appellee.)
_____)

Case No. 2D17-1164

Opinion filed December 20, 2017.

Appeal from the Circuit Court for
Hillsborough County; Claudia R. Isom,
Judge.

Daniel F. Pilka of Pilka & Associates, P.A.,
Brandon, for Appellant.

Gregory D. Jones and Jordan L. Behlman
of Rywant Alvarez Jones Russo & Guyton,
Tampa, for Appellee.

PER CURIAM.

This appeal is dismissed as from a nonfinal, nonappealable order. See
Fla. R. App. P. 9.130(a)(3); cf. Hayward & Assocs., Inc. v. Hoffman, 793 So. 2d 89, 91
(Fla. 2d DCA 2001) ("[I]t is well-established that an order that merely grants a motion to
dismiss, as contrasted with an order dismissing a complaint or an action, is not a final

order."); GMI, LLC v. Asociacion del Futbol Argentino, 174 So. 3d 500, 501 (Fla. 3d DCA 2015) ("It is the dismissal of the case that is final and appealable, not an order simply granting a motion.").

LaROSE, C.J., and CASANUEVA and VILLANTI, JJ., Concur.