

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

JANE ELIZABETH BEVAN,)

Appellant,)

v.)

Case No. 2D04-1744

CLAUDIA COWART,)

Appellee.)

Opinion filed May 6, 2005.

Appeal from nonfinal order of the Circuit
Court for Lee County; John E. Duryea, Jr.,
Acting Circuit Judge.

Jane Elizabeth Bevan, pro se.

Jeffrey D. Fridkin and Jacqueline J. Buyze
of Grant, Fridkin, Pearson, Athan & Crown,
P.A., Naples, for Appellee.

DANAHY, PAUL W., Senior Judge.

We affirm without comment the trial court's order enjoining Jane Elizabeth Bevan from filing additional petitions for repeat violence injunctions against Claudia Cowart without prior court approval but write to address the issue of appellate attorney's fees. "A litigant who wants to pursue a claim for appellate attorney's fees is required to

file a motion in the appellate court under [Florida Rule of Appellate Procedure] 9.400(b), stating the legal basis for the claim." Rados v. Rados, 791 So. 2d 1130, 1132 (Fla. 2d DCA 2001) (citing United Servs. Auto. Ass'n v. Phillips, 775 So. 2d 921 (Fla. 2000)). Cowart requested attorney's fees in her answer brief. However, she failed to file a separate motion in accordance with rule 9.400(b). Accordingly, we deny Cowart's request for attorney's fees.

Affirmed.

CASANUEVA and STRINGER, JJ., Concur.