

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

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
SECOND DISTRICT

ON THE LEVEL BUILDERS, INC.,)
)
 Appellant,)
)
 v.)
)
 ROBERT J. FIDDES,)
)
 Appellee.)
 _____)

Case No. 2D06-2848

Opinion filed December 6, 2006.

Appeal from nonfinal order of the
Circuit Court for Collier County;
Daniel R. Monaco, Judge.

William D. Kramer of William D.
Kramer, P.A., Naples, for Appellant.

Mark V. Silverio and Brian M. Silverio
of Silverio & Hall, P.A., Naples, for
Appellee.

WALLACE, Judge.

On the Level Builders, Inc. (the Contractor) challenges the trial court's order that
denied its motion to vacate a final judgment. The Contractor alleged that the judgment

was obtained by fraud. Because we find that the Contractor's motion did not set forth a sufficient basis for relief under Florida Rule of Civil Procedure 1.540(b)(3), we affirm the trial court's order. See Flemenbaum v. Flemenbaum, 636 So. 2d 579, 580 (Fla. 4th DCA 1994).

ALTENBERND and KELLY, JJ., Concur.