

Third District Court of Appeal

State of Florida

Opinion filed December 20, 2017.
Not final until disposition of timely filed motion for rehearing.

No. 3D17-933
Lower Tribunal No. 16-32762

Jasmine Alexander and Clever Alexander,
Appellants,

vs.

Wells Fargo Bank, N.A., etc.,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Eric William Hendon, Judge.

Jasmine Alexander and Clever Alexander, in proper persons.

Bryan Cave LLP, W. Bard Brockman (Atlanta, GA) and Zina Gabsi, for appellee.

Before FERNANDEZ, LOGUE and LINDSEY, JJ.

FERNANDEZ, J.

Appellants, Jasmine Alexander and Clever Alexander (collectively “Alexander”), appeal the trial court’s order dismissing their counterclaim against Wells Fargo Bank, N.A. (“Wells Fargo”). We dismiss the appeal as taken from a non-final, non-appealable order. See Amaya v. Vazquez, 150 So.3d 1203 (Fla. 3d DCA 2014) (citing S.L.T. Warehouse Co. v. Webb, 304 So.2d 97 (Fla. 1974)). On remand, Alexander may seek leave of court to file an amended answer and counterclaim, if appropriate, that complies with the Florida Rules of Civil Procedure. See Fla. R. Civ. P. 1.110; Fernandez v. Barry University, Inc., 973 So.2d 1240 (Fla. 3d DCA 2008); Cash v. Airport Mini-Storage, 782 So.2d 983 (Fla. 3d DCA 2001); Kohn v. City of Miami Beach, 611 So.2d 538 (Fla. 3d DCA 1992).