

# Third District Court of Appeal

State of Florida, July Term, A.D. 2007

Opinion filed December 12, 2007.

Not final until disposition of timely filed motion for rehearing.

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No. 3D07-1512

Lower Tribunal No. 04-13132

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**Carlos Duran,**  
Appellant,

vs.

**Douglas Lapin,**  
Appellee.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Gisela Cardonne Ely, Judge.

Silver & Silver, and Ira S. Silver, for appellant.

Tew Cardenas LLP, and Patrick J. Rengstl, and Jeffrey C. Schnieder and Stuart I. Grossman, for appellee.

Before COPE, GREEN, and WELLS, JJ.

PER CURIAM.

We affirm the order striking the appellant's pleadings. Trial courts have discretion to strike a party's pleadings or dismiss claims for fraud on the court. See Rios v. Moore, 902 So. 2d 181 (Fla. 3d DCA 2005); Storm v. Allied Universal Corp., 842 So. 2d 245 (Fla. 3d DCA 2003); O'Vahey v. Miller, 644 So. 2d 550 (Fla. 3d DCA 1994). The record before us does not support the appellant's contention that the trial court abused its discretion in this regard.

Affirmed.