

957 So.2d 70
District Court of Appeal of Florida,
First District.

PROFILE INVESTMENTS, INC., Appellant,
v.
DELTA PROPERTY MANAGEMENT, INC.,
a Florida corporation, and CIT Lending
Services, a Delaware corporation authorized
to do business in Florida, f/k/a AT & T
Commercial Finance Corp., Appellees.

No. 1D07-0187.
|
May 8, 2007.

Synopsis

Background: Tax sale purchaser brought action to quiet title. The trial court granted final summary judgment in favor of purchaser. Legal titleholder appealed. The District Court of Appeal, [830 So.2d 867](#), affirmed. Legal titleholder petitioned for review, and the Supreme Court, [875 So.2d 443](#), remanded. On remand, the trial court entered summary judgment in favor of legal titleholder. Purchaser appealed. The District Court of Appeal, [913 So.2d 661](#), reversed and remanded. On remand, the Circuit Court, Duval County, [Karen K. Cole, J.](#), entered nonfinal order finding that tax deed was invalid. Appeal was taken.

Holding: The District Court of Appeal held that order finding tax deed invalid was nonfinal and unappealable because it did not determine immediate right to possession.

Appeal dismissed.

West Headnotes (1)

[1] [Taxation](#)
 [Appeal](#)

Trial court's order determining that tax deed was invalid and of no legal effect was nonfinal and, thus not appealable, where the order did not directly determine immediate right to possession of property. [West's F.S.A. R.App.P.Rule 9.130\(a\)\(3\)\(C\)\(ii\)](#).

[5 Cases that cite this headnote](#)

Attorneys and Law Firms

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Opinion

PER CURIAM.

Upon consideration of the appellant's response to the Court's order of February 5, 2007, the Court has determined that the order entered by the lower tribunal on December 14, 2006, is not appealable as a nonfinal order pursuant to [Florida Rule of Appellate Procedure 9.130\(a\)\(3\)\(C\)\(ii\)](#). See [Cooksey v. Linton](#), 924 So.2d 919 (Fla. 1st DCA 2006); [Marina Bay Hotel and Club, Inc. v. McCallum](#), 733 So.2d 1133 (Fla. 4th DCA 1999). Although the nonfinal order on appeal determined that the appellant's tax deed is invalid and of no legal effect, this order does not directly determine the immediate right to possession of property. Therefore, this Court lacks appellate jurisdiction to review the order on appeal at this time.

DISMISSED.

[ALLEN](#), [WEBSTER](#), and [ROBERTS](#), JJ., concur.

All Citations

957 So.2d 70, 32 Fla. L. Weekly D1214