

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA.

CASE NO: 09-CA-1735-16-W

CARILLON COMMUNITY RESIDENTIAL
ASSOCIATION, INC., and KEN HOFER,

Plaintiffs,

Vs.

SEMINOLE COUNTY, UNIVERSITY OF
CENTRAL FLORIDA, and UNIVERSITY OF
CENTRAL FLORIDA FOUNDATION, INC.,

Defendant.

ORDER DENYING MOTION FOR REHEARING


The court has reviewed the Defendant's Motion for Rehearing on Seminole County's Motion to Dismiss with Prejudice dated October 19, 2009, and finds that the motion should be denied without a hearing.

The motion does not cite any authority for the motion for rehearing, and the only provision of which the court is aware for a motion for rehearing is Rule 1.530 of the Florida Rules of Civil Procedure. That rule does not authorize motions for rehearing directed to interlocutory orders. Wagner v. Bieley, Wagner & Associates, Inc., 263 So.2d 1 (Fla. 1972). A motion for rehearing is directed only to a final judgment. Francisco v. Victoria Marine Shipping, Inc., 486 So.2d 1386 (Fla. 3rd DCA 1986).

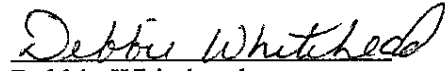
It is therefore,

ORDERED and ADJUDGED that the Defendant's Motion for Rehearing is denied.

DONE and ORDERED in Chambers at Sanford, Seminole County, Florida, this 27
day of October, 2009.


ALAN A. DICKEY
CIRCUIT JUDGE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished by U.S. Mail this 27 day of October, 2009, to David A. Theriaque, Attorney for Plaintiffs, Theriaque Vorbeck & Spain, 433 North Magnolia Drive, Tallahassee, Fl. 32308; Janet M. Courtney, Attorney for Defendant, Lowndes, Drosdick, Doster, Kantor & Reed, P.A., P.O. Box 2809, Orlando, Fl. 32802; and Kathleen Furey-Tran, Assistant County Attorney, 1101 East First Street, Sanford, Fl. 32771.



Debbie Whitehead
Judicial Assistant