



John Doe, No. 1 A/K/A Christopher T. Beres and John Doe, No. 2 A/K/A Andrew Delaney v. Relx, Inc.

2024 | Cited 0 times | District Court of Appeal of Florida | October 18, 2024

FIFTH DISTRICT COURT OF APPEAL STATE OF FLORIDA _____

Case No. 5D2024-0087 LT Case No. 2023-CA-016793-X _____

JOHN DOE, NO. 1 a/k/a CHRISTOPHER T. BERES and JOHN DOE, NO. 2 a/k/a ANDREW DELANEY,

Appellants,

v.

RELX, INC., d/b/a LEXISNEXIS USA, and PORTFOLIO MEDIA, INC.,

Appellees. _____

On appeal from the Circuit Court for Brevard County. Scott A. Blaue, Judge.

Christopher T. Beres, Melbourne, for Appellant, John Doe, No. 1, a/k/a Christopher T. Beres.

John Doe, No. 2. a/k/a Andrew Delaney, Republic of the Philippines, pro se.

Deanna K. Shullman and Sarah M. Papadelias, of Shullman Fugate, PLLC, West Palm Beach, for Appellees.

October 18, 2024

PER CURIAM.

Appellants appeal the trial court's order granting Appellees' motion for attorney's fees and costs. Although the trial court granted Appellees' motion as to the entitlement of their fees and costs, it retained jurisdiction to determine the amount of the fees and costs. This Court has held that "[a]n award of attorneys' fees does not become final, and, therefore, appealable until the amount is set by the trial court." *Mills v. Martinez*, 909 So. 2d 340, 342 (Fla. 5th DCA 2005). Therefore, the trial court's order is non-final and non-appealable as it relates to the granting of Appellees' motion for fees. See *Autoquotes (Fla), Inc. v. Albright*, 383 So. 3d 533, 534 (Fla. 5th DCA 2023) (holding trial court's order



granting entitlement as to fees and costs but retaining jurisdiction as to the amount to be “non-final and non-appealable as it relates to the granting of [the motion for fees]” (citations omitted)); see also *Lasco Enters., Inc. v. Kohlbrand*, 819 So. 2d 821 , 827 (Fla. 5th DCA 2002) (“An order which grants a party’s motion for cost[s] but reserves jurisdiction to determine the amount of costs is a non-final, non-appealable order which this court lacks jurisdiction to review.”). As a result, we dismiss the appeal for lack of jurisdiction.

DISMISSED.

WALLIS, JAY, and BOATWRIGHT, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
