

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

**Webber Commercial Properties, LLC v. Mama Vagne Enterprises,
Inc., Md Zahirul Haque Bhuiyuan, Shar Faraj, Syed S. Alam, and
Tammanna C. Ahmed**

Webber Commercial Properties · No. 6D2025-0396 · Decided May 1, 2026

OPINION

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ Case No. 6D2025-0396 Lower Tribunal No. 2024-CA-
002863 _____ WEBBER COMMERCIAL PROPERTIES, LLC,
Appellant, v. MAMA VAGNE ENTERPRISES, INC., MD ZAHIRUL HAQUE BHUIYUAN,
SHAR FARAJ, SYED S. ALAM, and TAMMANA C. AHMED, Appellees.
_____ Appeal from the Circuit Court for Lee County.

Michael T. McHugh, Judge. May 1, 2026 PER CURIAM. Webber Commercial Properties, LLC appeals the trial court’s nonfinal order on its summary proceedings for possession and Appellees’ motion to determine rents. We affirm the parts of the order on Appellant’s summary proceedings for possession without further discussion.

As to the challenge to the parts of the order on Appellees’ motion to determine rents, we dismiss for lack of jurisdiction. See Fla. R. App. P. 9.130(a)(3)(C)(ii) (“Appeals to the district courts of appeal of nonfinal orders are limited to those that... determine... the right to immediate possession of property.”); Aqua Bay Luxury Apartments, Inc. v. Ivory at Bay Harbour, LLC, 406 So.

3d 1100, 1101 (Fla. 3d DCA 2025) (dismissing for lack of jurisdiction the appeal of an order on a motion to determine rents because the order is not enumerated in rule 9.130(a)(3) and was not the basis for the issuance of the writ of possession); see also Walker v. Fla. Gas Transmission Co., LLC, 134 So. 3d 571, 572 (Fla. 1st DCA 2014) (“[T]he categories of non-final orders subject to interlocutory appeal are narrowly construed.” (citing Travelers Ins.

Co. v. Bruns, 443 So. 2d 959, 961 (Fla. 1984))); Greene v. Borsky, 961 So. 2d 1057, 1058–60 (Fla. 4th DCA 2007) (Farmer, J., dissenting) (analyzing rule 9.130(a)(3)(C)(ii) and concluding that it applied only to orders determining the right to immediate possession of tangible personal property or real property, not to orders determining the amount of a debt).

AFFIRMED in part; DISMISSED in part. STARGEL, WHITE and KAMOUTSAS, JJ., concur. Brian D. Zinn, of Zinnlaw, PLLC, Fort Myers, for Appellant. Jack C. Morgan, III, of Aloia Roland

Lubell & Morgan PLLC, Fort Myers, for Appellees, Mama Vagne Enterprises, Inc., MD Zehirul Haque Bhauiyuan, Syed S. Alam, and Tammanna C. Ahmed. Matthew S. Toll, of Toll Law, Cape Coral, for Appellee, Shar Faraj.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF TIMELY FILED 2

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