

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Adolfo A. Corripio v. Commodore Plaza Condominium Association, Inc., Etc.

Corripio · No. 3D24-1732 · Decided July 16, 2025

SUMMARY

The Florida Third District Court of Appeal dismissed an appeal from an order titled “Summary Final Judgment for Plaintiff” because the order did not fully adjudicate all counts of the condominium association’s complaint. The court held that the order was nonfinal and nonappealable, leaving the appellate court without jurisdiction.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	Fernandez, J.; Logue, J.; Lindsey, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	July 16, 2025
DOCKET	3D24-1732
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from an order titled Summary Final Judgment for Plaintiff entered in favor of the condominium association.
STANDARD OF REVIEW	The appellate court reviewed whether the order was final and appealable as a matter of appellate jurisdiction.
PRECEDENTIAL VALUE	published
PARTIES	Adolfo A. Corripio v. Commodore Plaza Condominium Association, Inc.

TOPICS

- appellate jurisdiction
- final judgment rule
- summary judgment
- appellate procedure
- civil procedure

PRACTICE AREAS

- appellate procedure
- civil procedure
- real estate

QUESTIONS PRESENTED

1. Whether the appeal could be taken from an order labeled a summary final judgment that did not fully adjudicate all counts of the complaint.

HOLDINGS

1. An order is not final or appealable when it does not fully adjudicate the claims in the case, regardless of the order's title; therefore, the court lacked jurisdiction over the appeal.

KEY QUOTATIONS

“Generally, the test employed by the appellate court to determine finality of an order, judgment or decree is whether the order in question constitutes an end to the judicial labor in the cause, and nothing further remains to be done by the court to effectuate a termination of the cause as between the parties directly affected. The title of the order, judgment or decree is not controlling.” (1055 n.4)

“We dismiss the Camargos’ appeal for lack of jurisdiction because the partial summary judgment granted in favor of Prime West is a nonfinal, nonappealable order.” (913)

FACTUAL BACKGROUND

Commodore Plaza Condominium Association sued Adolfo A. Corripio. The circuit court entered an order granting summary judgment in favor of the association, but the order did not fully adjudicate Counts II, III, and V of the complaint. Although labeled Summary Final Judgment for Plaintiff, the order left further judicial labor necessary in the case.

PROCEDURAL HISTORY

Corripio, the defendant below, appealed an order granting summary judgment to Commodore Plaza Condominium Association, the plaintiff below. The Third District Court of Appeal determined that the order did not fully adjudicate Counts II, III, and V of the complaint and therefore was nonfinal and nonappealable. The court dismissed the appeal for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Salgado v. Suyapa-Jimenez, 254 So. 3d 1053, 1055 n.4 (Fla. 3d DCA 2018)
- Camargo v. Prime W., Inc., 225 So. 3d 912, 913 (Fla. 3d DCA 2017)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed July 16, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-1732 Lower Tribunal No. 22-22499-CA-01 _____ Adolfo A. Corripio, Appellant, vs. Commodore Plaza Condominium Association, Inc., etc., Appellee. An Appeal from the Circuit Court for Miami-Dade County, Antonio Arzola, Judge.

Sheldon R. Rosenthal, for appellant. Poliakoff Backer, LLP, and Kenneth E. Zeilberger (Boca Raton), for appellee. Before FERNANDEZ, LOGUE, and LINDSEY, JJ. PER CURIAM. Appellant Adolfo A. Corripio (Defendant below) appeals from an order entering summary judgment in favor of Appellee Commodore Plaza Condominium Association (Plaintiff below). Though the order is titled “Summary Final Judgment for Plaintiff[,]” it does not fully adjudicate Counts II, III, and V of Commodore’s Complaint.

See *Salgado v. Suyapa-Jimenez*, 254 So. 3d 1053, 1055 n.4 (Fla. 3d DCA 2018) (“Generally, the test employed by the appellate court to determine finality of an order, judgment or decree is whether the order in question constitutes an end to the judicial labor in the cause, and nothing further remains to be done by the court to effectuate a termination of the cause as between the parties directly affected.

The title of the order, judgment or decree is not controlling.” (citations and internal quotations marks omitted)). We therefore dismiss the appeal for lack of jurisdiction. See *Camargo v. Prime W., Inc.*, 225 So. 3d 912, 913 (Fla. 3d DCA 2017) (“We dismiss the Camargos’ appeal for lack of jurisdiction because the partial summary judgment granted in favor of Prime West is a nonfinal, nonappealable order.”).

Dismissed. 2