

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

**Common Wealth Trust Services, LLC, as Trustee of the 0 Polk
Parkway Land Trust v. Polk County, a political subdivision of the
State of Florida**

No. 6D2024-0161; Lower Tribunal No. 22-CA-3090 · No. 6D2024-0161 · Decided September 19, 2025

SUMMARY

The Sixth District Court of Appeal of Florida affirmed the circuit court's order in favor of Polk County. The court held, citing Florida appellate authority, that an alleged error appearing for the first time on the face of an order must be raised through a motion for rehearing or another appropriate motion to be preserved for appeal.

OPINION

PER CURIAM.

SIXTH DISTRICT COURT OF APPEAL STATE OF FLORIDA
_____ Case No. 6D2024-0161 Lower Tribunal No. 22-CA-3090
_____ COMMON WEALTH TRUST SERVICES, LLC, as Trustee
of the 0 POLK PARKWAY LAND TRUST, Appellant, v. POLK COUNTY, a political subdivision
of the STATE OF FLORIDA, Appellee. _____ Appeal from the
Circuit Court for Polk County.

William D. Sites, Judge. September 19, 2025 PER CURIAM. AFFIRMED. See Melrose Ventures, LLC v. Uptempo Mktg. Corp., No. 6D2023-3824, 2025 WL 2088722, at *2, n.3 (Fla. 6th DCA July 25, 2025) (“[W]hen an error appears for the first time on the face of the order, it is well settled that parties can preserve the issue by filing a motion for rehearing.”); Williams v. Williams, 152 So.

3d 702, 704 (Fla. 1st DCA 2014) (“[W]here an error by the court appears for the first time on the face of a final order, a party must alert the court of the error via a motion for rehearing or some other appropriate motion in order to preserve it for appeal.”). WOZNIAK, MIZE and GANNAM, JJ., concur. Daniel F. Pilka, of Pilka Adams & Reed, P.A., Brandon, for Appellant.

Jonathan B. Trohn, of Campbell Trohn Tamayo & Aranda, P.A., Lakeland, for Appellee. NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING AND DISPOSITION THEREOF IF TIMELY FILED 2

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