

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

James G. Lince, The Bartos Group, LLC and Todd R. Bartos, Esq. v.
Pelican Circle Association, Inc., et al.

No. 1D2024-0782 · No. 1D2024-0782 · Decided October 8, 2025

SUMMARY

The Florida First District Court of Appeal affirmed two final judgments awarding attorney’s fees and dismissed the appeal as to other orders granting summary judgment. The court held that the remaining orders were neither final orders nor appealable nonfinal orders, and did not qualify as partial final judgments.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Lewis, J.; Rowe, J.; Winokur, J.
JURISDICTION	Florida First District Court of Appeal
DECIDED	October 8, 2025
DOCKET	1D2024-0782
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from nine orders granting summary judgment on claims in the fourth amended complaint and two final judgments awarding attorney's fees.
STANDARD OF REVIEW	The court applied the jurisdictional and finality requirements governing review of final, nonfinal, and partial final orders.
PRECEDENTIAL VALUE	published and precedential
PARTIES	James G. Lince, The Bartos Group, LLC, Todd R. Bartos, Esq. v. Pelican Circle Association, Inc., Garris defendants, Watson defendants

TOPICS

- final judgment rule
- interlocutory appeal
- appellate procedure
- summary judgment
- civil procedure

PRACTICE AREAS

- civil procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the orders merely granting summary judgment, without also entering judgment, were final orders subject to appellate review.
2. Whether the remaining orders were appealable nonfinal orders under Florida Rule of Appellate Procedure 9.130.
3. Whether the orders qualified as partial final judgments under Florida Rule of Appellate Procedure 9.110(k).
4. Whether the two final judgments awarding attorney's fees should be affirmed.

HOLDINGS

1. An order that merely grants a motion for summary judgment, without also entering judgment, is not a final order.
2. The remaining orders were not appealable nonfinal orders under Florida Rule of Appellate Procedure 9.130.
3. The remaining orders were not appealable as partial final judgments because they did not dispose of an entire case as to a party or a separate and distinct cause of action that was not interdependent with other pleaded claims.
4. The final judgments awarding attorney's fees to the Garris defendants and the Watson defendants were affirmed.

KEY QUOTATIONS

“The traditional test for finality is whether the decree disposes of the cause on its merits leaving no questions open for judicial determination except for execution and enforcement of the decree if necessary.” (2)

“A partial final judgment, other than one that disposes of an entire case as to any party, is one that disposes of a separate and distinct cause of action that is not interdependent with other pleaded claims” (2)

FACTUAL BACKGROUND

Lince raised claims in a fourth amended complaint. The circuit court entered nine orders granting summary judgment and later entered two final judgments awarding attorney's fees to the Garris defendants and the Watson defendants.

PROCEDURAL HISTORY

James G. Lince appealed nine summary-judgment orders and two final attorney-fee judgments from the Circuit Court for Walton County. The First District affirmed without comment the two attorney-fee judgments and dismissed the appeal as to the remaining orders because they were neither final orders nor appealable nonfinal orders or partial final judgments.

DISPOSITION

other

CASES CITED

- Hoffman v. Hall, 817 So. 2d 1057, 1058 (Fla. 1st DCA 2002)
- Cardiothoracic & Vascular Surgery, P.A. v. W. Fla. Reg'l Med. Ctr., 993 So. 2d 1060, 1061 (Fla. 1st DCA 2008)

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