

DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive
Tallahassee, Florida 32399-0950
Telephone No. (850)488-6151

April 10, 2013

CASE NO.: 1D13-1355
L.T. No.: 2013-CA-0073

Kevin M. McCarty, in His Official
Capacity, etc.

v.

Robin A. Myers, D.C., et al

Appellant / Petitioner(s),

Appellee / Respondent(s)

BY ORDER OF THE COURT:

Upon the Court's own motion, appellant shall show cause within ten days from the date of this order why this appeal should not be dismissed for lack of jurisdiction because the order on appeal does not appear to be an appealable non-final order pursuant to Florida Rule of Appellate Procedure 9.130. See City of Panama City v. Andina, Inc., 63 So. 3d 908 (Fla. 1st DCA 2011) (dismissing appeal where order appealed merely granted a motion for partial summary judgment on counts seeking injunctive relief). Specifically, the order on appeal grants in part a motion for injunction but does not express the proper scope of injunctive relief or direct appellant to take, or refrain from taking, any action. Appellant shall attach to the response a copy of the underlying motion for temporary injunction. If any other order, pleading, or document is referenced in the response, a copy of the document shall be attached to the response.

Failure to timely comply with this order may result in the imposition of sanctions, which may include dismissal of the appeal, without further opportunity to be heard. Fla. R. App. P. 9.410

The issuance of this order shall have the same effect on the proceedings as service of a motion to dismiss, i.e. it tolls the time for preparation and filing of the record and the filing of the briefs until the jurisdictional issue raised by the show cause order is resolved by the court. See Fla. R. App. P. 9.300(b).

I HEREBY CERTIFY that the foregoing is (a true copy of) the original court order.

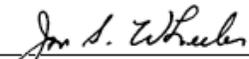
Served:

C.Timothy Gray, A.G.C.
Timothy D.Osterhaus, D.S.G.
Adam S.Levine

Luke Liriot
Allen C.Winsor
Theodore "Ted" E.Karatinos

James Bruce Culpepper
Rachel E Nordby

am



JON S. WHEELER, CLERK

