

Third District Court of Appeal

State of Florida

Opinion filed July 30, 2014.
Not final until disposition of timely filed motion for rehearing.

No. 3D13-610
Lower Tribunal No. 11-38180

Jennifer Papa, et al.,
Appellants,

vs.

Purebred Breeders, LLC, etc., et al.,
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Spencer Eig,
Judge.

Cohen Milstein Sellers & Toll, PLLC, and Theodore J. Leopold and Diana
L. Martin (Palm Beach Gardens), for appellants.

Akerman, LLP, and Christopher S. Carver and Erika R. Shuminer, for
appellees.

Before WELLS, SALTER and SCALES, JJ.

PER CURIAM.

Jennifer Papa, et al., Plaintiffs below, appeal from an “Amended Final Judgment of Dismissal” without prejudice. Appellants claim that no judgment should have been entered, and that the action should, instead, have been dismissed without prejudice.

Because we agree that the trial court intended to allow Plaintiffs to refile in the county court and that a final judgment “without prejudice” is, in effect, not a final judgment, we reverse and remand for entry of a dismissal of the action without prejudice.

Reversed and remanded with instructions consistent herein.