

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

DANIEL CAMMARATA,
Appellant,

v.

KELLY A. CAMMARATA n/k/a **KELLY AHMETI,**
Appellee.

Nos. 4D17-2553 and 4D18-477

[November 28, 2018]

Consolidated appeal from the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Roger B. Colton and Karen Miller, Judges; L.T. Case No. 502009DR012269.

Mary Michele Hudson of Maverick Law, LLC, Palm Beach Gardens, for appellant.

Matthew David Martin of Martin Family Law, Boca Raton, for appellee.

PER CURIAM.

In this consolidated appeal, the former husband appeals from two orders: (1) the Final Judgment Denying Former Husband's Supplemental Petition for Modification, Denying Former Husband's Motion for Contempt and Enforcement, and Granting Former Wife's Supplemental Petition for Modification of Child Support; and (2) the Final Judgment Awarding Former Wife Attorney's Fees and Costs. We affirm without discussion the portions of the first order which are final, and the second order in its entirety.

We dismiss the appeal as to the portion of the first order which directs that the former wife's supplemental petition for modification of child support is referred to the magistrate for further consideration.¹ The body

¹ There is a scrivener's error in this order that must be corrected. The heading of the final judgment incorrectly reflects that the former wife's supplemental petition for modification of child support was *granted*. The appellee concedes that the heading of the final judgment is inconsistent with the court's directives within the judgment.

of the judgment states in part that the trial court “refers all issues related to modification of child support to the general magistrate,” and that “[t]he parties shall attend mediation to address the modification of child support prior to scheduling a child support modification hearing before the magistrate.” In addition, the trial court specifically “ORDERED” that “[t]he Former Wife’s Supplemental Petition for Modification of Child Support and for Other Relief is referred to the magistrate for further consideration. The parties shall attend mediation prior to setting a hearing on the Supplemental Petition for Modification” Accordingly, this portion of the order is nonfinal and nonappealable.

Affirmed in part, dismissed in part, and remanded to correct scrivener’s error.

GERBER, C.J., WARNER and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.