

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JANUARY TERM 2011

AMERICAN HERITAGE LIFE
INSURANCE COMPANY,

Appellant,

v.

Case No. 5D09-3493

JEANNETTE C. HALL,

Appellee.

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Opinion filed July 1, 2011

Appeal from the Circuit Court
for Volusia County,
William A. Parsons, Judge.

T. Geoffrey Heekin, Tracy L. Wenzel and
Hilary D. Wilson of Heekin, Malin &
Wenzel, P.A., Jacksonville, for Appellant.

Kimberly P. Simoes and Mario B. Simoes
of The Simoes Law Group, P.A., Deland,
Shannon McLin Carlyle and Christopher V.
Carlyle of The Carlyle Appellate Law Firm,
The Villages, for Appellee.

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JEANNETTE C. HALL,

Appellant/Cross-Appellee,

v.

Case No. 5D09-3555

AMERICAN HERITAGE LIFE
INSURANCE COMPANY,

Appellee/Cross-Appellant.

_____ /

Kimberly P. Simoes and Mario B. Simoes
The Simoes Law Group, P.A., DeLand,
Shannon McLin Carlyle and Christopher V.
Carlyle of The Carlyle Appellate Law Firm,
The Villages, for Appellant/Cross-Appellee.

T. Geoffrey Heekin, Tracy L. Wenzel and
Hilary D. Wilson of Heekin, Malin & Wenzel,
P.A., Jacksonville, for Appellee/Cross-Appellant.

PER CURIAM.

The appeal in case number 09-3493 was filed prematurely because the order was not final at the time it was filed. *Interamerican Car Rental, Inc. v. O'Brien*, 618 So. 2d 760 (Fla. 3d DCA 1993). Nevertheless, the order became final when the final judgment was entered in case number 09-3555. Accordingly, we consolidate these appeals, *sua sponte*, and affirm as to all issues in both appeals.

AFFIRMED.

SAWAYA, TORPY and EVANDER, JJ., concur.