

Third District Court of Appeal

State of Florida

Opinion filed January 20, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D20-1012
Lower Tribunal No. 19-34863

L. Powers,
Appellant,

vs.

Arthur J. Morburger,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Martin Zilber,
Judge.

L. Powers, in proper person.

Arthur J. Morburger, in proper person.

Before EMAS, C.J., and LINDSEY, and HENDON, JJ.

PER CURIAM.

Affirmed.

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2019-034863-CA-01

SECTION: CA08

JUDGE: Martin Zilber

L Powers

Plaintiff(s)

vs.

Arthur Morburger

Defendant(s)

ORDER OF DISMISSAL

THIS CAUSE, having come before the court, and the court having been fully advised on the matter, it is hereby,

ORDERED AND ADJUDGED that this case be and the same is hereby **DISMISSED**

☒ WITH Prejudice

☐ WITHOUT Prejudice

For the following reason:

☒ Settlement – The court retains jurisdiction to enforce the settlement agreement. The Court reserves jurisdiction to enforce the settlement and to enter orders necessary to this enforcement, or to set aside this Order of Dismissal if the matter has not been resolved. The Court also reserves jurisdiction to assess attorney's fees and costs, if applicable, upon proper motion and hearing.

☐ Voluntary Dismissal

☐ Lack of Prosecution

☐ Failure to comply with Court Order and failure to show cause

- ☐ Failure to timely secure counsel or file motion of intent to proceed
- ☐ Judicial labor complete
- ☐ Other:

DONE and **ORDERED** in Chambers at Miami-Dade County, Florida on this 16th day of June, 2020.

~~2019-034863-CA-01 06-16-2020 12:35 PM~~

2019-034863-CA-01 06-16-2020 12:35 PM

Hon. Martin Zilber

CIRCUIT COURT JUDGE

Electronically Signed

Final Order as to All Parties SRS # 12 (Other)

THE COURT DISMISSES THIS CASE AGAINST ANY PARTY NOT LISTED IN THIS FINAL ORDER OR PREVIOUS ORDER(S). THIS CASE IS CLOSED AS TO ALL PARTIES.

Electronically Served:

Arthur Morburger, amorburger@bellsouth.net

L Powers, VidaSpice@yahoo.com

Physically Served:

Supreme Court of Florida

WEDNESDAY, APRIL 21, 2021

CASE NO.: SC21-583

Lower Tribunal No(s).:

3D20-1012; 132019CA034863000001

L. POWERS

vs. ARTHUR J. MORBURGER

Petitioner(s)

Respondent(s)

This case is hereby dismissed. This Court lacks jurisdiction to review an unelaborated decision from a district court of appeal that is issued without opinion or explanation or that merely cites to an authority that is not a case pending review in, or reversed or quashed by, this Court. See *Wheeler v. State*, 296 So. 3d 895 (Fla. 2020); *Wells v. State*, 132 So. 3d 1110 (Fla. 2014); *Jackson v. State*, 926 So. 2d 1262 (Fla. 2006); *Gandy v. State*, 846 So. 2d 1141 (Fla. 2003); *Stallworth v. Moore*, 827 So. 2d 974 (Fla. 2002); *Harrison v. Hyster Co.*, 515 So. 2d 1279 (Fla. 1987); *Dodi Publ'g Co. v. Editorial Am. S.A.*, 385 So. 2d 1369 (Fla. 1980); *Jenkins v. State*, 385 So. 2d 1356 (Fla. 1980).

No motion for rehearing or reinstatement will be entertained by the Court.

A True Copy
Test:

td

Served:

L. POWERS

ARTHUR J. MORBURGER

HON. MERCEDES M. PRIETO, CLERK

HON. HARVEY RUVIN, CLERK

HON. MARTIN GLENN ZILBER, JUDGE

IN THE DISTRICT COURT OF APPEAL
OF FLORIDA
THIRD DISTRICT
MARCH 25, 2021

L. POWERS,
Appellant(s)/Petitioner(s),
vs.
ARTHUR J. MORBURGER,
Appellee(s)/Respondent(s),

CASE NO.: 3D20-1012

L.T. NO.: 19-34863

Upon consideration, Appellant's pro se "Motion for Written Opinion and to Certify the Question and Motion for Rehearing and Rehearing En Banc" is stricken as legally insufficient, and as containing impertinent, scandalous, and defamatory allegations.

Appellant shall have one opportunity to file, within ten (10) days from the date of this Order, a motion that comports with the Florida Rules of Appellate Procedure.

Appellant is hereby notified that any future unauthorized filings or filings containing impertinent, scandalous, or defamatory allegations will subject Appellant to sanctions, which may include the dismissal of this appeal, or an order prohibiting Appellant from filing any document with this Court unless reviewed and approved by a member in good standing of The Florida Bar.

EMAS, C.J., and LINDSEY and HENDON, JJ., concur.



cc: Arthur J. Morburger L. Powers

la

**Additional material
from this filing is
available in the
Clerk's Office.**