

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

HALEH DARBAR,
Appellant,

v.

YMCA OF SOUTH FLORIDA, INC.,
Appellee.

Nos. 4D2024-2378 and 4D2024-2587

[April 15, 2026]

Consolidated appeals from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; John B. Bowman, Judge; L.T. Case No. 062021CA014888AXXXCE.

Earl Issac Higgs, Jr. of Higgs Law, P.A., Orlando, for appellant.

Therese Ann Savona of Cole Scott & Kissane, P.A., Orlando, for appellee.

SHEPHERD, J.

Appellant challenges the trial court's entry of final summary judgment in favor of appellee, as well as a separate order granting appellee's motion to tax costs. We affirm the order granting appellee's motion to tax costs and dismiss the appeal of the order granting final summary judgment. The appeal of the order granting final summary judgment is not timely; therefore, we lack jurisdiction to consider that appeal. *See GEICO Gen. Ins. Co. v. Williams*, 111 So. 3d 240, 246 (Fla. 4th DCA 2013) (holding that "a judgment on the merits of a suit is final and appealable even if it reserves jurisdiction to later determine either party's entitlement to an attorneys' fee award or the amount to be awarded"); *Churchville v. Ocean Grove R.V. Sales, Inc.*, 876 So. 2d 649, 651 (Fla. 1st DCA 2004) ("An amendment or modification of an order or judgment in an immaterial, insubstantial way does not restart the clock to file an appeal.").

Affirmed in part and dismissed in part.

FORST and KLINGENSMITH, JJ., concur.

* * *

Not final until disposition of timely-filed motion for rehearing.