

2014 WL 5462517

Only the Westlaw citation is currently available.

NOTICE: THIS OPINION HAS NOT BEEN
RELEASED FOR PUBLICATION IN THE
PERMANENT LAW REPORTS. UNTIL RELEASED,
IT IS SUBJECT TO REVISION OR WITHDRAWAL.

District Court of Appeal of Florida,
First District.

Karen GOSLIN, Former Wife, Appellant,
v.
Gregory James PREISSER, Former Husband,
Appellee.

No. 1D14-1608. | Oct. 29, 2014.

An appeal from the Circuit Court for Bay County. John L.
Fishel, II, Judge.

Attorneys and Law Firms

Michael B. Jones of The Wheelock Law Firm, LLC,
Orlando, for Appellant.

Charles H. Williams, Panama City, for Appellee.

Opinion

PER CURIAM.

*1 Appellant, the former wife, seeks review of a non-final order denying her motion to compel Appellee, the former husband, to undergo an independent psychosexual evaluation as part of an ongoing dispute over the timesharing schedule for the parties' three minor children. We do not have jurisdiction to review the order by appeal because the order did not determine the parties' timesharing rights. *See* Fla. R.App. P. 9.130(a)(3)(C)(iii); *Pool v. Bunger*, 43 So.3d 837, 838 (Fla. 1st DCA 2010). We do not have jurisdiction to review the order by certiorari because the order merely denies a discovery request and any resulting harm can be remedied on appeal. *See Eutsay v. State*, 103 So.3d 181, 182 (Fla. 1st DCA 2012) (“Unlike situations where a trial court erroneously compels the exchange of information (the proverbial ‘cat out of the bag’ orders), the harm done by the failure to provide information can be corrected on appeal in most cases.”); *Boyd v. Pheo, Inc.*, 664 So.2d 294, 295 (Fla. 1st DCA 1995) (“[T]his court has adhered to the view that orders having the effect of denying discovery are almost invariably not reviewable by certiorari because of the absence of irreparable harm.”). Accordingly, we dismiss this appeal for lack of jurisdiction.

DISMISSED.

PADOVANO, WETHERELL, and MAKAR, JJ., concur.