

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

January 10, 2013

CASE NO.: 4D13-28
L.T. No. : 11-28447 CACE

KENNETH A. FRANK

v.

COMERICA BANK, ETC.,
ET AL.

Appellant / Petitioner(s),

Appellee / Respondent(s).

BY ORDER OF THE COURT:

The jurisdiction of this court was invoked by filing of a Notice of Appeal in the lower tribunal. The \$300.00 filing fee, or a circuit court clerk's determination of indigent status, did not accompany the Notice of Appeal as required in Florida Rules of Appellate Procedure 9.110(b) and 9.140(a). The filing fee is due and payable at the time of filing REGARDLESS OF WHETHER THE APPEAL IS LATER DISMISSED VOLUNTARILY OR ADVERSELY.

If you have already been found indigent for purposes of proceedings in the lower tribunal, in this case, please file a copy of that order in this court.

If you do not have an order or a determination of indigent status and feel that you are insolvent, complete the enclosed application and mail to the Clerk of the Circuit Court within fifteen (15) days from the date of this order. **A Notice of Compliance must also be filed with this court.** The Clerk of the Circuit Court shall forward the Clerk's Determination to this court within ten (10) days of receipt. Failure of appellant to comply with this order will result in the dismissal of this appeal.

****NOTE:** This order does not toll the time for filing any pleadings necessary to prosecute this appeal and no extensions of time will be entertained. Once the fee is paid, it is not refundable. Except for dismissal, this court will take no action in this appeal until the filing fee is paid or until a circuit court clerk's determination of indigent status is filed.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Howard Forman, Clerk

Kenneth A. Frank

Brian K. Hole

ck

Marilyn Beuttenmuller
MARILYN BEUTTENMULLER, Clerk
Fourth District Court of Appeal

