

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING  
MOTION AND, IF FILED, DETERMINED

IN THE DISTRICT COURT OF APPEAL  
OF FLORIDA  
SECOND DISTRICT

RONALD J. MARZULLO, )  
 )  
 Appellant, )  
 )  
 v. )  
 )  
 JOYCE MARZULLO a/k/a Joyce Bryan, )  
 )  
 Appellee. )  
 \_\_\_\_\_ )

Case No. 2D17-3953

Opinion filed July 25, 2018.

Appeal from the Circuit Court for Manatee  
County; Edward Nicholas, Judge.

Ronald J. Marzullo, pro se.

Joyce Marzullo a/k/a Joyce Bryan, pro se.

PER CURIAM.

In this appeal, the former husband, Ronald J. Marzullo, challenges a nonfinal order denying his supplemental counter petition for modification of alimony and for retroactive modification of alimony and granting the former wife, Joyce Marzullo's, supplemental counter petition for modification of alimony, for retroactive alimony, for modification of retirement benefits, and for retroactive retirement benefits and payment of alimony arrears. We dismiss the appeal in part as it pertains to the portion of the

order granting the former wife a share of the former husband's retirement benefits. That portion of the order is nonfinal and nonappealable as the trial court has not yet set an amount for the award of either current or retroactive retirement benefits and, in fact, expressly reserved jurisdiction to set the amount for retroactive retirement benefits and to enter an order to that effect. Cf. Rollins Fruit Co. v. Wilson, 923 So. 2d 516, 519-20 (Fla. 2d DCA 2005) (holding that where trial court reserved jurisdiction to determine amount due to one party and to enter a judgment for that amount in that party's favor, the order on appeal was not final and thus dismissal of appeal was appropriate). In all other respects, the order on appeal is affirmed.

Affirmed in part; dismissed in part.

LaROSE, C.J., and MORRIS and ATKINSON, JJ., Concur.