

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

JOHN F. SHULER,

Appellant,

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

v.

CASE NO. 1D10-0919

THE CITY OF BRISTOL,
FLORIDA, a political Subdivision
of the State of Florida,

Appellee.

Opinion filed April 21, 2011.

An appeal from the Circuit Court for Liberty County.
Frank Sheffield, Judge.

Jonna L. Bowman of the Law Office of Jonna Bowman, P.A., Blountstown, for
Appellant.

Craig A. Dennis and Melanie M. Burnette of Dennis, Jackson, Martin & Fontela,
P.A., Tallahassee, for Appellee.

PER CURIAM.

We decline to disturb an award of attorney's fees ordered to make whole a
property owner who was required to incur them in order to procure dissolution of a

lien having no arguable legal basis, particularly since the trial court found the lien had been placed vindictively. Cf. S & T Builders v. Globe Props., Inc., 944 So. 2d 302, 305 (Fla. 2006) (authorizing an award of the fees incurred in procuring the discharge of a wrongly filed lis pendens). We affirm, despite the trial court's misplaced reference to the "Construction Lien Law." See Dade Cnty. Sch. Bd. v. Radio Station WQBA, 731 So. 2d 638, 644-45 (Fla. 1999).

AFFIRMED.

BENTON, C.J., WETHERELL, and ROWE, JJ., CONCUR.