

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

DONALD SIMMONS,

Appellant,

v.

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

CASE NO. 1D06-1680

BANKTRUST f/k/a COMMERCE
SOUTH f/k/a FIRST AMERICA
BANK OF WALTON COUNTY,

Appellee.

Opinion filed April 10, 2007.

An appeal from the Circuit Court for Walton County.
W. Howard Laporte, Judge.

Clay B. Adkinson and Clayton J. M. Adkinson of the Adkinson Law Firm, DeFuniak Springs, for Appellant.

Samuel B. Taylor and Daniel C. O'Rourke of Matthews & Hawkins, Destin, for Appellee.

PER CURIAM.

AFFIRMED.

BROWNING, C.J., WEBSTER and PADOVANO, JJ., CONCUR.