

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

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

MARSHA R. SANKS AND  
JOSEPH D. SANKS,

Appellants,

v.

Case No. 5D13-543

AMERIQUEST FUNDING II  
REO SUBSIDIARY, LLC,

Appellee.

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Opinion filed December 4, 2015

Appeal from the Circuit Court  
for St. Johns County,  
John M. Alexander, Judge.

Marsha R. Sanks, and Joseph D. Sanks, St.  
Augustine, pro se.

Jerome L. Teppes, of Jerome L. Teppes, P.A.,  
Sunrise, for Appellee, Calchas, LLC.

PER CURIAM.

Marsha R. Sanks and Joseph D. Sanks appeal the final judgment of foreclosure and reformation of a mortgage rendered following a bench trial. We affirm the final judgment with the exception of the awards for pre-acceleration charges in the amount of

\$81.19 and property taxes and insurance<sup>1</sup> in the amount of \$3,886.66. There was no competent, substantial evidence presented at trial to support these awards. See *Wagner v. Bank of America, N.A.*, 143 So. 3d 447, 448 (Fla. 2d DCA 2014). On remand, the final judgment shall be reduced by these amounts.

We further note that the caption of the final judgment names the original plaintiff and not the substituted plaintiff, Calchas, LLC.<sup>2</sup> The trial court is further directed to correct the caption of the final judgment.

AFFIRMED in part; REVERSED in part; and REMANDED.

PALMER, LAMBERT, and EDWARDS, JJ., concur.

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<sup>1</sup> The property taxes and insurance award is referred to in the final judgment as “negative trust balance.”

<sup>2</sup> The body of the final judgment correctly reflects Calchas, LLC.