DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT July Term 2009

HENRY S. KEEL,

Appellant,

v.

CENTRAL MORTGAGE COMPANY,

Appellee.

No. 4D08-3106

[November 25, 2009]

PER CURIAM.

Affirmed. See Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150 (Fla. 1979).

POLEN, MAY and GERBER, JJ., concur.

* * *

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Cheryl J. Aleman, Judge; L.T. Case No. 07-36053CACE (21).

Kraig S. Weiss of Silverberg & Weiss, P.A., Weston, for appellant.

Les C. Shields of Ben-Ezra & Katz, P.A., Fort Lauderdale, for appellee.

Not final until disposition of timely filed motion for rehearing.