

# Third District Court of Appeal

State of Florida, January Term, A.D. 2008

Opinion filed April 16, 2008.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D07-992  
Lower Tribunal No. 06-429 AP

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**Goldmax Realty, Inc.,**  
Appellant,

vs.

**Marlen Montiel and Yesfris Rodriguez,**  
Appellees.

An Appeal from the Circuit Court for Miami-Dade County, Appellate Division, William Johnson, Orlando A. Prescott, and Dava J. Tunis, Judges.

Elliot L. Miller, for appellant.

Michael A. Pizzi, Jr., for appellees.

Before SHEPHERD, SUAREZ, and LAGOA, JJ.

PER CURIAM.

Affirmed. See Batista v. Batista, 553 So. 2d 1281 (Fla. 3d DCA 1989).