

Third District Court of Appeal

State of Florida, January Term, A.D. 2011

Opinion filed June 1, 2011.

Not final until disposition of timely filed motion for rehearing.

No. 3D10-2326

Lower Tribunal No. 09-32798

Gredy Garrido,

Appellant,

vs.

**US Bank National Association, as Trustee for the C-Bass Mortgage
Loan Asset-Backed Certificates, Series 2006-CB8,**

Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Victoria S. Sigler, J.

Korte & Wortman, and Brian Korte (West Palm Beach), for appellant.

Akerman Senterfitt and Katherine E. Giddings, Nancy M. Wallace and Kristen M. Fiore (Tallahassee) and William P. Heller (Fort Lauderdale), for appellee.

Before RAMIREZ, C.J., and SUAREZ and LAGOA, JJ.,

PER CURIAM.

Affirmed. The motion to set aside the summary judgment pursuant to Florida Rule of Civil Procedure 1.540 was a fact-specific question, see LPP

Mortgage Ltd. v. Bank of America, N.A., 826 So. 2d 462, 463-64 (Fla. 3d DCA 2002), which was resolved against the appellant, who has not provided us with a transcript. Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979).