

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

SHARON K PITTMAN,

Plaintiff,

v.

CASE NO. 1:06-cv-00126-MP-AK

A&A TITLE INSURANCE AGENCY INC,
PAUL T AKINS, JR,
SHEREE AKINS,
AMERICA'S SERVICING COMPANY,
BUYERS CHOICE HOME REPO CENTER INC,
JEFF CLAYTON,
FIRST APPROVAL MORTGAGE,
PAM HOVELAND,
DOROTHY L JOSEPH,
TRANSLAND FINANCIAL SERVICES,
WASHINGTON MUTUAL,

Defendants.

ORDER

This matter is before the Court on Doc. 2, Motion for Temporary Restraining Order, filed by Sharon K Pittman at 5:13 p.m. on June 20, 2006. In the motion, Ms. Pittman seeks to enjoin "the sheriff's foreclosure sale scheduled for Friday; June 23, 2006 on the steps of the Alachua County Courthouse" [semicolon in original.] Doc. 2. pp. 1-2. The Motion for Temporary Restraining Order does not state which property is involved in the sale, but the Complaint, Doc. 1, indicates that the property is 9223 SW 89th Place in Gainesville, Florida. See, e.g., Doc. 1, pp. 4 & 7. Also, the Complaint indicates that the state court foreclosure proceeding was in case number 01-05-CA-1512. Doc. 1, p. 9. In fact, attachment 16 to Doc. 1 contains a copy of the state court foreclosure complaint. Attached to the complaint (at page 15) is the Mortgage being foreclosed. It lists the property address as 9223 SW 89th Place. Attch. 16 to Doc. 1, p. 16.

Thus, according to Ms. Pittman's representations, the property at 9223 SW 89th Pl, Gainesville, FL was set to be sold at a foreclosure sale on Friday, June 23, 2006. She filed the motion for temporary restraining order to prevent that sale.

The Court reviewed the computerized docket sheet in Eight Judicial Circuit Court case 01-050CA-1512 at around 1:15 p.m. on June 22, 2006. That review revealed that on May 24, 2006, a foreclosure sale of the property was noticed for June 22, 2006 - a day earlier than what Ms. Pittman had put in her motion. The notice was published in the Alachua County Record newspaper. When the Court checked with the state court clerk, the Court obtained the attached Certificate of Sale. In short, the property at 9223 SW 89th Pl has already been sold at foreclosure. Accordingly, Ms. Pittman's motion for temporary restraining order is moot and is hereby denied.

DONE AND ORDERED this 22nd day of June, 2006

s/Maurice M. Paul
Maurice M. Paul, Senior District Judge

**IN THE CIRCUIT COURT OF THE EIGHTH JUDICIAL CIRCUIT
IN AND FOR ALACHUA COUNTY FLORIDA**

**MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, Case Number: 01-2005 CA 1512
INC. Division: K**

Plaintiff,

- VS -

SHARON K. PITTMAN et al

Defendants

CERTIFICATE OF SALE

The undersigned J.K. "Buddy" Irby, Clerk of the Circuit Court, certifies that notice of public sale of property described in the Summary Final Judgment In Foreclosure was published in The Record, a newspaper circulated in Alachua County, Florida, in the manner shown by the Proof of Publication filed in this cause, and on June 22, 2006, the property was offered for public sale to the highest bidder for cash. The highest and best bid received for the property was submitted by, Mortgage Electronic Registration Systems, Inc., whose address is C/O David J. Stern, P.A. 801 S. University Drive, Ste 500 Plantation, FL 33324, to which the property was sold. The amount of the bid was \$100.00. The proceeds of the sale are retained for distribution in accordance with the Summary Final Judgment In Foreclosure .

WITNESS my hand and seal of this Court, on the 22nd day of June, 2006.

J. K. "Buddy", Irby
Clerk of the Circuit Court

By: 
Deputy Clerk

If you are a person with a disability who needs any accommodation in order to participate in this proceeding, you are entitled, at no cost to you, to the provision of certain assistance. Please contact the Court Administrator's Office by phone at (352) 374-3839 or in person or in writing at 201 E University Ave, Gainesville FL, 32601 within 2 working days of your receipt of this notice: if you are hearing impaired, call (800) 955-8771; if you are voice impaired call (800) 955-8770

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