

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

MARK MONGON  
AND GENEVIEVE MONGON,

Appellants,

v.

Case No. 5D15-761

BANK OF NEW YORK  
MELLON, ETC., ET AL.,

Appellees.

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Opinion filed April 1, 2016

Appeal from the Circuit Court  
for St. Johns County,  
Howard M. Maltz, Judge.

Thomas R. Pycraft, Jr., John J.  
Spence, Michael J. Pelkowski and  
David D. Naples Jr., of Pycraft Law,  
LLC, St. Augustine, for Appellants.

Shaib Y. Rios, of Brock & Scott, PLLC,  
Ft. Lauderdale, and Kelley Kronenberg  
and Erin M. Berger, Tampa, for  
Appellee, Bank of New York Mellon.

No Appearance for other Appellees.

PER CURIAM.

AFFIRMED. *See Phan v. Deutsche Bank Nat'l. Tr. Co.*, 41 Fla. L. Weekly D516  
(Fla. 2d DCA Feb. 26, 2016) (“[A] plaintiff may demonstrate by competent, substantial

evidence its standing to foreclose a mortgage under section 637.0311, Florida Statutes, where it has constructive possession of a mortgage note through its agent at the time it files a complaint for foreclosure.”).

LAWSON, C.J., EVANDER and LAMBERT, JJ., concur.