

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

JEFFREY J. BURDENSKI,

Appellant,

v.

Case No. 5D19-20

BRANCH BANKING AND TRUST
COMPANY AND MILAN HOMEOWNERS
ASSOCIATION, INC.,

Appellees.

Opinion filed July 2, 2020

Appeal from the Circuit Court
for Brevard County,
Lisa Davidson, Judge.

Beau Bowin, of Bowin Law Group,
Indialantic, for Appellant.

Shaib Y. Rios and Michael W. Smith, of
Brock & Scott, PLLC, Ft. Lauderdale,
for Appellees.

PER CURIAM.

Jeffrey J. Burdenski, Appellant, appeals a final judgment of foreclosure arguing that the trial court erred when it denied his motion for involuntary dismissal based on our decision in *DeLong v. Lakeview Loan Servicing, LLC*, 222 So. 3d 662 (Fla. 5th DCA 2017). We find Appellees' attempts to distinguish *DeLong* unpersuasive. Accordingly,

we reverse the final judgment of foreclosure and remand with instructions to enter a final judgment of involuntary dismissal. See *id.* at 663.

REVERSED and REMANDED with INSTRUCTIONS.

WALLIS, EISNAUGLE, and TRAVER, JJ., concur.