

IN THE DISTRICT COURT OF APPEAL
FIRST DISTRICT, STATE OF FLORIDA

DYCK-O'NEAL, INC.,

Appellant,

v.

NOT FINAL UNTIL TIME EXPIRES TO
FILE MOTION FOR REHEARING AND
DISPOSITION THEREOF IF FILED

CASE NO. 1D16-5009

JAMES N. SHEILS,

Appellee.

Opinion filed October 16, 2017.

An appeal from an order of the Circuit Court for Duval County.
Karen K. Cole, Judge.

David M. Snyder, David M. Snyder Professional Association, Tampa, Susan B. Morrison of the Law Offices of Susan B. Morrison, P.A., Tampa, and Joshua D. Moore of the Law Offices of Daniel C. Consuegra, Tampa, for Appellant.

Ryan G. Moore and Wendal Finner, First Coast Consumer Law, Jacksonville Beach, for Appellee.

PER CURIAM.

AFFIRMED. See Higgins v. Dyck-O'Neal, Inc., 201 So. 3d 157 (Fla. 1st DCA 2016) (holding that a party is not entitled to pursue a separate action for deficiency judgment where the foreclosure complaint includes a prayer for a

deficiency judgment and the foreclosure court reserves jurisdiction to enter a deficiency judgment); see also Dyck-O'Neal, Inc. v. Lanham, 214 So. 3d 802 (Fla. 1st DCA 2017) (certifying conflict between this Court's decision in Higgins and decisions by the other four district courts of appeal).

ROBERTS, BILBREY, and KELSEY, JJ., CONCUR.