

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT
January Term 2014

DENISE GILLESPIE,
Appellant,

v.

JAMES McCOMBS, LAURA BRUNO, INEZ WILLIS
and **MICHAEL WILLIS,**
Appellees.

No. 4D12-2473

[June 4, 2014]

Appeal from the Circuit Court for the Nineteenth Judicial Circuit,
Martin County; James McCann, Judge; L.T. Case No. 10-373-CA.

Rafael A. Castro, III, Miami, for appellant.

Virginia P. Sherlock of Littman, Sherlock & Heims, P.A., Stuart, for
appellees.

PER CURIAM.

Although the court's March 15, 2012 order was improper, we affirm on the tipsy coachman doctrine, which "allows an appellate court to affirm a trial court that 'reaches the right result, but for the wrong reasons' so long as 'there is any basis which would support the judgment in the record.'" *Robertson v. State*, 829 So. 2d 901, 906 (Fla. 2002). Had the judge considered the third amended complaint, it would nonetheless have been subject to dismissal with prejudice. *See Barrett v. City of Margate*, 743 So. 2d 1160 (Fla. 4th DCA 1999).

Affirmed.

GROSS, GERBER and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.