

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FOURTH DISTRICT

CHRISTOPHER GREEN,
Appellant,

v.

OCWEN LOAN SERVICING, LLC,
Appellee.

No. 4D14-4643

[May 31, 2016]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Cynthia G. Imperato, Judge; L.T. Case No. CACE10048772(11).

Martin G. McCarthy and Emre Yersel of Richard S. Gendler & Associates, P.A., Miami, for appellant.

Diana B. Matson, Joshua R. Levine, and Eve A. Cann of Baker, Donelson, Bearman, Caldwell & Berkowitz, PC, Fort Lauderdale, for appellee.

ON CONFESSION OF ERROR

PER CURIAM.

Christopher Green appeals from a final judgment of mortgage foreclosure. He argues two issues on appeal, and the appellee, Ocwen Loan Servicing, LLC, concedes error with respect to one. Specifically, the appellee concedes that the trial court erred by entering final judgment when appellee failed to prove that the original plaintiff had standing to foreclose at the time the complaint was filed. *See McLean v. JP Morgan Chase Bank Nat'l Ass'n*, 79 So. 3d 170, 173 (Fla. 4th DCA 2012). The appellee expressly denies the other argument made by appellant. We accept the appellee's confession of error, vacate the final judgment, and remand with instructions to enter an order of involuntary dismissal based on the lack of standing. *See Rodriguez v. Wells Fargo Bank, N.A.*, 178 So. 3d 62, 64 (Fla. 4th DCA 2015).

Reversed and remanded.

STEVENSON, MAY and FORST, JJ., concur.

* * *

Not final until disposition of timely filed motion for rehearing.