

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT

**MANILA LAKMAITREE,**  
Appellant,

v.

**21st MORTGAGE CORPORATION,**  
Appellee.

No. 4D17-1263

[March 7, 2018]

Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Joel T. Lazarus, Senior Judge; L.T. Case No. CACE15011997.

Brian Korte of Korte & Wortman, P.A., West Palm Beach, for appellant.

Sonia Henriques McDowell of Quintairos, Prieto, Wood & Boyer, P.A., Orlando, for appellee.

PER CURIAM.

After the court entered an involuntary dismissal against the lender for failing to establish standing, the borrower requested an award of its attorney's fees and costs. The court denied the motion, and the borrower appeals.

This Court answered the question raised in this appeal in our en banc opinion in *Nationstar Mortgage LLC v. Glass*, 219 So. 3d 896 (Fla. 4th DCA 2017). We subsequently addressed the issue in several cases, including *Christiana Tr., a Div. of Wilmington Sav. Fund Soc'y, FSB for Normandy Mortgage Loan Tr., Series 2013-18 v. Rushlow*, 231 So. 3d 558 (Fla. 4th DCA 2017), and, more recently, *Sabido v. Bank of New York Mellon*, 4D16-2944, 2018 WL 735950 (Fla. 4th DCA Feb. 7, 2018). Furthermore, our sister districts have uniformly reached the same conclusion. *Bank of N.Y. Mellon Tr. Co. v. Fitzgerald*, 215 So. 3d 116 (Fla. 3d DCA 2017); *HFC Collection Ctr., Inc. v. Alexander*, 190 So. 3d 1114, 1116 (Fla. 5th DCA 2016).

We reject the borrower's argument that it is inequitable to apply these

decisions; and, regardless, this Court's unanimous en banc decision is binding on this panel. Therefore, the circuit court's order is affirmed.

*Affirmed.*

GERBER, C.J., GROSS and KUNTZ, JJ., concur.

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***Not final until disposition of timely filed motion for rehearing.***