DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA FOURTH DISTRICT July Term 2005

SEAN P. THOMPSON,

Appellant,

v.

## RUTH ANTOINE,

Appellee.

No. 4D04-4923

[November 2, 2005]

PER CURIAM.

Affirmed. See Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1190 (Fla. 1979).

KLEIN, SHAHOOD, JJ., and GERBER, JONATHAN D., Associate Judge, concur.

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Appeal from the Circuit Court for the Seventeenth Judicial Circuit, Broward County; Lawrence L. Korda, Judge; L.T. Case No. 03-23923 4193.

Tracy Belinda Newmark of Fixel & LaRocco & Newmark, Hollywood, for appellant.

Kenneth Eric Trent of Kenneth Eric Trent, P.A., Fort Lauderdale, for appellee.

Not final until disposition of timely filed motion for rehearing.