

Supreme Court of Florida

No. SC17-1387

MARIE ANN GLASS,
Petitioner,

vs.

NATIONSTAR MORTGAGE, LLC, etc., et al.,
Respondents.

April 18, 2019

PER CURIAM.

Respondent’s Motion to Recall Mandate is hereby granted. The opinion of this Court dated January 4, 2019, is hereby withdrawn, and this opinion is substituted in its place. *See* § 43.44, Fla. Stat. (2018) (“An appellate court may, as the circumstances and justice of the case may require, reconsider, revise, reform, or modify its own opinions and orders for the purpose of making the same accord with law and justice.”); Fla. R. Jud. Admin. 2.205(b)(5). In light of the substituted opinion, we hereby deny Respondent’s Motion for Clarification.

We initially accepted review of the decision of the Fourth District Court of Appeal in *Nationstar Mortgage LLC v. Glass*, 219 So. 3d 896 (Fla. 4th DCA

2017), based on express and direct conflict with the decision of the First District Court of Appeal in *Bank of New York v. Williams*, 979 So. 2d 347 (Fla. 1st DCA 2008). Upon further consideration, we conclude that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss this review proceeding.

It is so ordered.

CANADY, C.J., and POLSTON, LAWSON, LAGOA, LUCK, and MUÑIZ, JJ., concur.

LABARGA, J., dissents.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal – Direct Conflict of Decisions

Fourth District - Case No. 4D15-4561

(Broward County)

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