

Third District Court of Appeal

State of Florida

Opinion filed November 16, 2016.
Not final until disposition of timely filed motion for rehearing.

Nos. 3D15-2105; 3D15-1984; 3D15-1967
Lower Tribunal Nos. 10-54870, 14-32672

Pierre Philippe, et al.,
Appellants,

vs.

Michael Weiner, M.D., P.A. Profit Sharing Plan,
Appellee.

Appeals from the Circuit Court for Miami-Dade County, Daryl Trawick and Thomas J. Rebull, Judges.

Raven Ramona Liberty, for appellants.

Paul M. Kade, for appellee.

Before WELLS, SHEPHERD and SALTER, JJ.

SALTER, J.

These three consolidated appeals involve post-final-judgment actions by the appellants as judgment debtors. The appeals constitute a collateral attack on a final

deficiency judgment entered in 2012 and affirmed by this Court in July 2014. Philippe v. Weiner, 143 So. 3d 1086 (Fla. 3d DCA 2014). Our prior opinion, though requiring recomputation of the total amount due (based on the effective date of liquidation of the deficiency, exclusion of certain real estate taxes and insurance costs, and an adjustment to the prejudgment interest due), became law of the case as to the issues now sought to be raised by the appellants. Fla. Dept. of Transp. v. Juliano, 801 So. 2d 101, 105-06 (Fla. 2001).

The appellants did not directly appeal the post-remand, recomputed final judgment itself, which was entered *nunc pro tunc* to the date of the original deficiency judgment. Further, the appellants did not offer evidence that the amended final judgment should reflect a credit for the market value of stock obtained by the appellee through execution and a sheriff's sale, and they did not seek or obtain a stay to pursue a review of either the original or amended judgment. No error having been shown, the orders below are affirmed in each of the three consolidated cases.

Affirmed.