

# Third District Court of Appeal

## State of Florida

Opinion filed March 22, 2017.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D16-720  
Lower Tribunal No. 12-17787

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**Frank E. Polo, Sr.,**  
Appellant,

vs.

**Merlin Hernandez,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Scott M. Bernstein, Judge.

Frank E. Polo, Sr., in proper person.

Holly A. Aliprandi, for appellee.

Before LAGOA, EMAS and FERNANDEZ, JJ.

PER CURIAM.

Affirmed. See Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150  
(Fla. 1979).