

Third District Court of Appeal

State of Florida

Opinion filed March 1, 2017.

No. 3D16-1933
Lower Tribunal No. 09-82628

Victor Rodriguez,
Appellant,

vs.

Wachovia Mortgage, FSB,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Jennifer D. Bailey, Judge.

Victor Rodriguez, in proper person.

McGuireWoods LLP, and Sara F. Holladay-Tobias, Emily Y. Rottmann, and C.H. Houston, III (Jacksonville), for appellee.

Before LAGOA, SALTER, and FERNANDEZ, JJ.

PER CURIAM.

CONFESSION OF ERROR

Appellant, Victor Rodriguez (“Rodriguez”), appeals from the entry of a Final Foreclosure Judgment in favor of Appellee, Wells Fargo Bank, N.A., as successor in interest to Wachovia Mortgage, FSB (the “Bank”). The Bank concedes that Rodriguez was not a party below. Based on the Bank’s confession of error, we reverse the trial court’s entry of Final Judgment of Foreclosure, and remand to the trial court for vacatur of the Final Judgment of Foreclosure.¹

¹ On remand, the Bank may file a motion to amend the complaint to include the proper parties.