

# Third District Court of Appeal

## State of Florida

Opinion filed February 20, 2019.  
Not final until disposition of timely filed motion for rehearing.

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No. 3D17-1448  
Lower Tribunal No. 14-27809

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**Eduardo F. Eduartez,**  
Appellant,

vs.

**Federal National Mortgage Association, et al.,**  
Appellees.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Rodney Smith, Judge.

Kenzie N. Sadlak, P.A., and Kenzie N. Sadlak, for appellant.

Straley & Otto, P.A., and Shelley J. Murray and Brian T. Meanley (Fort Lauderdale), for appellee Sunshores Condominium Association, Inc; The Griffith Law Firm, P.A., and Derek R. Griffith, for appellee Degel, LLC.

Before LOGUE, SCALES and LINDSEY, JJ.

PER CURIAM.

After rendering its decision in Bank of New York Mellon v. Glenville, 252 So. 3d 1120 (Fla. 2018), the Florida Supreme Court quashed this Court's June 13,

2018 decision in this case, and remanded the matter back to us for reconsideration upon application of Glenville. Eduarte v. Federal Nat'l Mortg. Ass'n, No. SC18-1436 (Fla. S. Ct. Dec. 7, 2018). We ordered supplemental briefing from the parties. We agree with appellees Degel, LLC and Sunshores Condominium Association that Glenville requires affirmance of the trial court's May 30, 2017 order that denied appellant Eduardo F. Eduarte's May 18, 2017 motion to vacate the surplus fund disbursement order.

Affirmed.