

Third District Court of Appeal

State of Florida

Opinion filed November 23, 2022.
Not final until disposition of timely filed motion for rehearing.

No. 3D21-1551
Lower Tribunal No. 14-11093

Rosaida Cuellar and Evelio Carmona,
Appellants,

vs.

Federal National Mortgage Association,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Vivianne Del Rio, Judge.

Rosaida Cuellar, in proper person.

Atlas | Solomon PLLC, and Adam G. Schwartz (Stuart); McGlinchey Stafford, and William L. Grimsley (Jacksonville), for appellee.

Before EMAS, SCALES and GORDO, JJ.

PER CURIAM.

Affirmed. See Handel v. Nevel, 147 So. 3d 649, 651 (Fla. 3d DCA 2014) (“We review a trial court's ruling on a rule 1.540(b) motion to vacate for an abuse of discretion, and we will not disturb that ruling unless no reasonable judge would have reached the same decision”) (internal citation omitted); Lopez v. Wilmington Tr., N.A., 302 So. 3d 953, 955 (Fla. 3d DCA 2020) (“Any matter asserted in [appellants'] rule 1.540(b) motion that was before the trial court prior to the entry of the amended final judgment of foreclosure is improperly raised in a rule 1.540(b) motion. A rule 1.540(b) motion cannot be utilized ‘to overcome [a party's] failure to timely challenge the original final judgment.’ Baez v. Perez, 201 So. 3d 692, 694 (Fla. 4th DCA 2016) (quoting Beal Bank, S.S.B., Inc. v. Sherwin, 829 So. 2d 961, 962 (Fla. 4th DCA 2002))”).