

# Third District Court of Appeal

State of Florida

Opinion filed November 30, 2022.

---

No. 3D22-0714  
Lower Tribunal No. 19-7810

---

**Trinity Financial Services, LLC,**  
Appellant,

vs.

**Fernando Blanco,**  
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, David C. Miller, Judge.

Ashland Medley Law, PLLC and Ashland R. Medley (Coral Springs), for appellant.

Fidelity National Law Group, and Michele A. Cavallaro (Fort Lauderdale), for appellee.

Before LINDSEY, HENDON, and LOBREE, JJ.

**ON CONFESSION OF ERROR**

PER CURIAM.

Appellant Trinity Financial Services, LLC filed an intervenor complaint alleging that a final judgment quieting title was void as a matter of law due to defects in service. Appellee moved for judgment on the pleadings based on his status as a bona fide purchaser. The trial court granted the motion and entered a final judgment in favor of the Appellee. However, Appellee has commendably stipulated that the trial court could not have determined whether Appellee was a bona fide purchaser without traveling outside the four corners of the intervenor complaint because the facts regarding bona fide purchaser status were asserted as an affirmative defense and were not contained within the impleader complaint. Appellee therefore consents to entry of an order vacating the final judgment and vacating the order granting Appellee's motion for judgment on the pleadings, and remanding this matter to the trial court for further proceedings. See Domres v. Perrigan, 760 So. 2d 1028, 1029 (Fla. 5th DCA 2000) (explaining that a trial court must accept all well-pled facts and inferences as true when considering a motion for judgment on the pleadings and must not rely on the moving party's answer, reply, or defenses).

Reversed and remanded.