

Third District Court of Appeal

State of Florida, January Term, A.D. 2013

Opinion filed March 20, 2013.

Not final until disposition of timely filed motion for rehearing.

No. 3D12-2345

Lower Tribunal No. 11-5197

Efrain Galvez and Nancy Martin,
Appellants,

vs.

Deutsche Bank National Trust Company,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Lester Langer,
Judge.

Efrain Galvez and Nancy Martin, in proper person.

Bradley Arant Boult Cummings LLP, Marc James Ayers and Mary Ann
Couch, for appellee.

Before WELLS, C.J., and SUAREZ and EMAS, JJ.

WELLS, Chief Judge.

Efrain Galvez and Nancy Martin appeal the order dismissing with prejudice their action which alleged a fraudulent foreclosure occurring some four years earlier. We treat the instant appeal as a denial of relief under Florida Rule of Civil procedure 1.540(b),¹ and affirm. See Freemon v. Deutsche Bank Trust Co. Americas, 46 So. 3d 1202, 1204 (Fla. 4th DCA 2010).

Affirmed.

¹ In fact, appellants' Second Amended Complaint specifically states that it is filed under Florida Rule of Civil Procedure 1.540(b).