

Third District Court of Appeal

State of Florida

Opinion filed May 17, 2023.
Not final until disposition of timely filed motion for rehearing.

No. 3D22-1111
Lower Tribunal No. 10-53090

Felix I. Gaspard,
Appellant,

vs.

BAC Home Loans Servicing, LP, etc., et al.,
Appellees.

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

Felix I. Gaspard, in proper person.

Liebler Gonzalez & Portuondo, and Mary J. Walter, B.C.S., for appellee Bank of America, N.A.

Before LOGUE, SCALES, and LOBREE, JJ.

PER CURIAM.

Affirmed.

APPENDIX A

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

CASE NO: 2010-053090-CA-01

SECTION: CA02

JUDGE: William Thomas

Bac Home Loans Svcing (lp)

Plaintiff(s)

vs.

Gaspard, Felix

Defendant(s)

**ORDER DENYING DEFENDANT'S EMERGENCY MOTION TO STOP WRIT OF
POSSESSION AND/OR GRANT A STAY OF EVICTION PENDING APPEAL**

THIS MATTER came on for consideration via Zoom on June 28, 2022 upon Defendant, Felix Gaspard's, Emergency Motion to Stop Writ of Possession and/or Grant a Stay of Eviction Pending Appeal. The Court having heard argument from parties, reviewed the matter and being fully advised in the premises, it is:

ORDERED AND ADJUDGED that:

1. Defendant, Felix Gaspard's, Emergency Motion to Stop Writ of Possession and/or Grant a Stay of Eviction Pending Appeal is hereby DENIED.
2. The Sheriff of Miami-Dade County is ordered to proceed with the execution of the Alias Writ of Possession that was issued on May 25, 2022.

DONE and ORDERED in Chambers at Miami-Dade County, Florida on this 7th day of July, 2022.

2010-053090-CA-01 07-07-2022 10:18 A

2010-053090-CA-01 07-07-2022 10:18 AM

Hon. William Thomas

CIRCUIT COURT JUDGE

Electronically Signed

APPENDIX B

No Further Judicial Action Required on **THIS MOTION**

CLERK TO **RECLOSE** CASE IF POST JUDGMENT

Electronically Served:

Anastasia B. Wohar, abw@lgplaw.com
Anastasia B. Wohar, amm@lgplaw.com
Anastasia B. Wohar, service@lgplaw.com
Anastasia B. Wohar, sl@lgplaw.com
Bruce Jacobs Esq, efile@jakelegal.com
Bruce Jacobs Esq, jacobs@jakelegal.com
Charline Calhoun, ecf@albertellilaw.com
Craig Phillip Rogers, ecf@albertellilaw.com
David Michael Dilts, ecf@albertellilaw.com
Donisha Alexa Weightman, ecf@albertellilaw.com
John Anthony Van Ness, E-Filing@vanlawfl.com
John Anthony Van Ness, pleadings@vanlawfl.com
John Anthony Van Ness, TVanness@vanlawfl.com
Joshua David Knight, joshuaknightsq@me.com
Lynn Marie Vouis, ecf@albertellilaw.com
Mary Josephine Walter, mjlw@lgplaw.com
Mary Josephine Walter, dm@lgplaw.com
Mary Josephine Walter, service@lgplaw.com
McGuire Woods, LLP, chouston@mcguirewoods.com
Morgan L. Weinstein, MWeinstein@vanlawfl.com
Willnae LaCroix, pleadings@vanlawfl.com
Willnae LaCroix, WLaCroix@vanlawfl.com

Physically Served: