

DISTRICT COURT OF APPEAL OF FLORIDA, SECOND DISTRICT

Farrell v. The Bank of New York Mellon

No. 2D2024-2167 · No. 2D2024-2167 · Decided January 16, 2026

SUMMARY

The Florida Second District Court of Appeal affirmed a foreclosure judgment in favor of The Bank of New York Mellon. It reversed the award of attorneys' fees and remanded for an evidentiary hearing to determine the reasonable amount of fees.

OPINION

PER CURIAM.

DISTRICT COURT OF APPEAL OF FLORIDA SECOND DISTRICT VEATRICE A. FARRELL, Appellant, v. THE BANK OF NEW YORK MELLON fka The Bank of New York, as trustee for the holders of CWALT, Inc. Alternative Loan Trust 2005-24, Mortgage Pass-Through Certificates, Series 2005-24, Appellee. No. 2D2024-2167 January 16, 2026 Appeal from the Circuit Court for Pinellas County; Thomas M. Ramsberger, Judge.

Michael Alex Wasylik of Ricardo & Wasylik, PL, Dade City, for Appellant. Danielle Spradley of Kelley Kronenberg, Fort Lauderdale, for Appellee. PER CURIAM. Veatrice A. Farrell seeks review of a final judgment of foreclosure in favor of The Bank of New York Mellon fka The Bank of New York, as trustee for the holders of CWALT, Inc. Alternative Loan Trust 2005-24, Mortgage Pass-Through Certificates, Series 2005-24 (Bank).

We affirm the final judgment without comment but reverse the award of attorneys' fees and remand for an evidentiary hearing to determine the amount of a reasonable award of attorneys' fees to the Bank. See *Rodriguez v. Campbell*, 720 So. 2d 266, 268 (Fla. 4th DCA 1998) ("[W]hen the record contains some competent substantial evidence supporting the fee or cost order, yet fails to include some essential evidentiary support such as testimony from the attorney performing the services, or testimony from additional expert witnesses, the appellate court will reverse and remand the order for additional findings or an additional hearing, if necessary.").

Affirmed in part, reversed in part, and remanded. KELLY, ROTHSTEIN-YOUAKIM, and SMITH, JJ., Concur. Opinion subject to revision prior to official publication. 2