

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

**David Ryan v. The Bank of New York Mellon Trust Company, N.A.,
Etc.**

No. 3D24-0022 · No. No. 3D24-0022; Lower Tribunal No. 19-9635 · Decided April 30, 2025

OPINION

David Ryan v. the Bank of New York Mellon Trust Company, N.A., Etc.

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed April 30, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-0022 Lower Tribunal No. 19-9635 _____ David Ryan, Appellant, vs. The Bank of New York Mellon Trust Company, N.A., etc., Appellee. An Appeal from the Circuit Court for Miami-Dade County, Antonio Arzola, Judge. Quaranta P.A., and John M. Quaranta, for appellant. Greenberg Traurig, P.A., and Kimberly S. Mello (Orlando), for appellee. Before EMAS, SCALES and MILLER, JJ. PER CURIAM. Affirmed. See Bank of Am., N.A. v. Abpaymar, LLC, 373 So. 3d 669, 670 (Fla. 5th DCA 2023) (“The central issue is whether the current trial court had the power to revisit and nullify the 2011 order that vacated the 2006 final judgment of foreclosure and returned the original note and mortgage to Countrywide (who subsequently assigned the documents to BOA). It did not. The trial court mistakenly relitigated the procedural validity of the 2011 vacation order, a matter previously adjudicated with finality; it had no authority to reconsider the order and deem it ‘ineffectual’ and thereby ‘void and of no force or effect’ because of its view that Countrywide set forth inadequate grounds for the relief obtained. This court has reiterated that the finality of judgments is of great import even when the judgments may have been wrongly decided.”). 2