

FLORIDA THIRD DISTRICT COURT OF APPEAL

Joel Ramsey v. City First Mortgage Corp.

Ramsey · No. 3D25-0123 · Decided October 29, 2025

SUMMARY

The Florida Third District Court of Appeal reviews an appeal from an order overruling an objection to a judicial mortgage foreclosure sale and directing issuance of a certificate of title. The court holds that Joel Ramsey waived his personal-jurisdiction challenge by failing to raise it at the first opportunity, while 7 Zeros Group, LLC did not waive the issue because it moved to quash service in its first authorized motion. The court affirms as to Ramsey, reverses as to 7 Zeros, and remands for an evidentiary hearing on the validity of service of process.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Miller, J.; Fernandez, J.; Lindsey, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 29, 2025
DOCKET	3D25-0123
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a non-final order overruling the mortgagors' objection to a judicial mortgage foreclosure sale and directing issuance of a certificate of title to a third-party bidder.
STANDARD OF REVIEW	De novo review applies to the legal issues involved in a ruling on a motion to quash service of process.
PRECEDENTIAL VALUE	published
PARTIES	Joel Ramsey, 7 Zeros Group, LLC v. City First Mortgage Corp., Alexandria Investment, LLC

TOPICS

- service of process
- personal jurisdiction
- foreclosure
- appellate procedure
- standard of review

PRACTICE AREAS

- civil procedure
- foreclosure
- real estate
- appellate procedure

QUESTIONS PRESENTED

1. Whether Joel Ramsey waived his objection to personal jurisdiction based on defective service of process by failing to raise it at the first opportunity.
2. Whether 7 Zeros Group, LLC preserved its service-of-process and personal-jurisdiction objection by raising it in its first authorized motion.
3. Whether the trial court was required to conduct an evidentiary hearing to determine the validity of service of process upon 7 Zeros Group, LLC.

HOLDINGS

1. Ramsey waived the asserted lack-of-personal-jurisdiction error because he failed to raise it at the first opportunity and took steps in the proceeding constituting submission to the court's jurisdiction.
2. 7 Zeros did not waive its objection because it moved to quash service in its first authorized motion.
3. The trial court must conduct an evidentiary hearing concerning the validity of service of process upon 7 Zeros before resolving the service objection.

KEY QUOTATIONS

“Lack of personal jurisdiction is a waivable defense that must be raised at the ‘first opportunity’ and before the defendant takes any steps in the proceeding constituting submission to the court's jurisdiction.”

“neither the submission of affidavits nor argument of counsel is sufficient to constitute an evidentiary hearing.”

FACTUAL BACKGROUND

Joel Ramsey and 7 Zeros Group, LLC were mortgagors in a foreclosure action brought by City First Mortgage Corp. The proceedings included clerical and judicial defaults and an uncontested final summary judgment, followed by a judicial foreclosure sale to third-party bidder Alexandria Investment, LLC. Ramsey did not raise lack of personal jurisdiction at the first opportunity, while 7 Zeros moved to quash service in its first authorized motion.

PROCEDURAL HISTORY

The circuit court entered clerical and judicial defaults against the appellants and later entered an uncontested final summary judgment of mortgage foreclosure in favor of City First Mortgage Corp. After the foreclosure sale, the trial court overruled the appellants' objection and directed the clerk to issue a certificate of title to Alexandria Investment, LLC. The appellants argued on appeal that defective service deprived the trial court of personal jurisdiction.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The trial court must conduct an evidentiary hearing to determine the validity of service of process upon 7 Zeros Group, LLC. The order is affirmed as to Ramsey and reversed as to 7 Zeros.

CASES CITED

- Clear 2 Close Title, LLC v. Zap Cap., Inc., 373 So. 3d 1183, 1187 (Fla. 3d DCA 2023)
- Snider v. Metcalfe, 157 So. 3d 422, 424 (Fla. 4th DCA 2015)
- Magnolias Nursing & Convalescent Ctr. v. Dep't of Health & Rehab. Servs., Off. of Licensure & Certification, 428 So. 2d 256, 257 (Fla. 1st DCA 1982)
- Oshana v. Lopiano, 314 So. 3d 311, 312 (Fla. 3d DCA 2020)
- Travelers Ins. Co. v. Davis, 371 So. 2d 702, 703 (Fla. 3d DCA 1979)
- Avi-Isaac v. Wells Fargo Bank, N.A., 59 So. 3d 174, 177 (Fla. 2d DCA 2011)
- Sperdute v. Household Realty Corp., 585 So. 2d 1168, 1169 (Fla. 4th DCA 1991)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed October 29, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-0123 Lower Tribunal No. 24-06556-CA-01 _____ Joel Ramsey, et al., Appellants, vs. City First Mortgage Corp., et al., Appellees. An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Migna Sanchez-Llorens, Judge.

Nashid Sabir, for appellants. Diaz & Affiliates, P.A., and Kevin Diaz, for appellee, Alexandria Investment, LLC. Before FERNANDEZ, LINDSEY, and MILLER, JJ. MILLER, J. Appellants, Joel Ramsey and 7 Zeros Group, LLC, the mortgagors, appeal a lower court order overruling their objection to a judicial mortgage foreclosure sale and directing the clerk to issue a certificate of title to the third-party bidder, Alexandria Investment, LLC.¹ On appeal, appellants assert that the trial court improperly exercised personal jurisdiction over them because service of process was defective.

The challenged rulings followed clerical and judicial defaults, an uncontested final summary judgment rendered in favor of City Mortgage Corp., the mortgagee, and the discredited assertion that Ramsey filed for bankruptcy protection before the scheduled sale date. Upon our de novo review, we conclude that Ramsey waived the asserted error by failing to raise lack of personal jurisdiction at the first opportunity.

See Clear 2 Close Title, LLC v. Zap Cap., Inc., 373 So. 3d 1183, 1187 (Fla. 3d DCA 2023) (“A trial court's ruling on a motion to quash service of process, to the extent it involves questions of law, is subject to de novo review.”); see also Snider v. Metcalfe, 157 So. 3d 422, 424 (Fla. 4th DCA 2015) (“Lack of personal jurisdiction is a waivable defense that must be raised at the ‘first

opportunity' and before the defendant takes any steps in the proceeding constituting submission to the court's jurisdiction.”).

But the same cannot be said for 7 Zeros, as it moved to quash service in its first 1 City First Mortgage Corp. did not file an answer brief. 2 authorized motion. See *Magnolias Nursing & Convalescent Ctr. v. Dep't of Health & Rehab. Servs., Off. of Licensure & Certification*, 428 So. 2d 256, 257 (Fla. 1st DCA 1982) (“[A]lthough an individual may represent himself in court without necessity of employing an attorney, a corporation is not permitted to do so, and a pleading signed in the corporate name by one of its agents or officials is a nullity, and must be disregarded.”).

Accordingly, we affirm the order as to Ramsey but reverse and remand with instructions to the trial court to conduct an evidentiary hearing as to the validity of service of process upon 7 Zeros.² Affirmed in part; reversed in part; remanded. 2 See *Oshana v. Lopiano*, 314 So. 3d 311, 312 (Fla. 3d DCA 2020) (finding trial court was required to hold evidentiary hearing on issues relating to service of process before rendering denying motion to vacate final judgment); *Travelers Ins.*

Co. v. Davis, 371 So. 2d 702, 703 (Fla. 3d DCA 1979) (reversing order quashing service of process and requiring evidentiary hearing to first determine validity of service of process); *Avi-Isaac v. Wells Fargo Bank, N.A.*, 59 So. 3d 174, 177 (Fla. 2d DCA 2011) (“[N]either the submission of affidavits nor argument of counsel is sufficient to constitute an evidentiary hearing.” (quoting *Sperdute v. Household Realty Corp.*, 585 So.

2d 1168, 1169 (Fla. 4th DCA 1991))). 3