

IN THE CIRCUIT COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA

AURORA BANK FSB,

Plaintiff,

v.

DAWN M. BOYER AND
MIGUEL ESPINOSA, et al.,

Defendants,

Case No. 2012-007726

Division: B

ORDER GRANTING SUMMARY JUDGMENT

THIS CAUSE, having come before the Court on November 14, 2012 on Defendants' Motion for Summary Judgment or to Dismiss, and the Court, being duly advised in the premises, it is hereby;

ORDERED AND ADJUDGED as follows:

1. The undisputed, summary judgment evidence before the Court establishes that Plaintiff failed to provide Defendants with the requisite 30 days' notice and opportunity to cure, as required by paragraph 22 of the subject mortgage. Though Plaintiff disagrees, it introduced no affidavits or summary judgment evidence in opposition to the motion.

2. The motion is granted, and this case is dismissed without prejudice.

DONE AND ORDERED in Chambers in Tampa, Hillsborough County, Florida on this ____ day of November, 2012.

ORIGINAL SIGNED

NOV 14 2012

JUDY PITTMAN BIEBEL
Circuit Court Judge
SENIOR CIRCUIT JUDGE

cc: Mark P. Stopa, Esq.
Florida Foreclosure Attorneys