

IN THE CIRCUIT COURT OF THE SIXTH JUDICIAL CIRCUIT,
IN AND FOR PINELLAS COUNTY, FLORIDA
CIVIL DIVISION

NATIONSTAR MORTGAGE LLC,

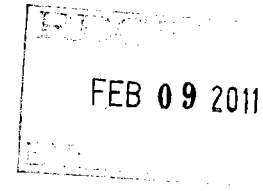
CASE NO. 10-6330-CI-20

PLAINTIFF,

v.

CRAIG K. LUNT AND DOROTHEA C. LUNT,

DEFENDANT.



ORDER

THIS CAUSE came to be considered upon the Defendant's Motion to Dismiss, this court having reviewed the Defendant's motion and accepted the argument of counsel for Defendant who appeared in person and counsel for Plaintiff who appeared via telephone, it is hereby:

ORDERED AND ADJUDGED as follows:

1. The Defendant's Motion To Dismiss/Motion For More Definite Statement asserted that the Florida Supreme Court, pursuant to Rule 1.110(b), mandated that residential foreclosure complaints shall be verified and that the effective date of the requirement was February 11, 2010.
2. Plaintiff argued that the change to Florida Rule of Civil Procedure was not effective until June 2, 2010 and that because the instant complaint was filed prior to June 2, 2010, the instant complaint was not required to be verified.
3. This court finds that the effective date of Florida Rule of Civil Procedure Rule 1.110(b) is February 11, 2010 and that all residential complaints defined by the Rule must be verified beginning February 11, 2010.

4. Because the instant complaint is not verified in any manner, by any party, the Defendant's Motion to Dismiss/Motion For More Definite Statement is GRANTED and the case is dismissed except that the Plaintiff shall have thirty (30) days to amend their complaint.

5. If the Defendant does not amend their complaint within thirty (30) days of the date of this Order, the case shall be dismissed without further order of the court.

DONE AND ORDERED in Chambers, Pinellas County, St. Petersburg, Florida this _____ day of _____, 2011.

TRUE COPY
Original Signed
FEB 07 2011
George M Jiroka

The Honorable George Jiroka
Circuit Court Judge

Copies Furnished to:

Karen Thompson, Esq., Attorney for Plaintiff
Matthew D. Weidner, Esq., Attorney for Defendant