

**IN THE CIVIL CIRCUIT COURT OF THE 17TH JUDICIAL
CIRCUIT
IN AND FOR BROWARD COUNTY FLORIDA**

JULIA M. GONZALEZ,
Plaintiff,

v.

Case No. CACE-17005848

LLOYD G. WICKBOLDT, ANTHONY
J. ARAGONA, III, INDIVIDUALLY, and
ANTHONY J. ARAGONA III, P.A., professionally,
DAVID M. RYDER, Receiver,
Defendants.

**ORDER GRANTING DEFENDANTS' MOTION TO DISMISS COMPLAINT WITH
PREJUDICE AND DISCHARGING *LIS PENDENS***

THIS CAUSE came before the Court on May 25, 2017, upon the Defendants' Motion to Dismiss Complaint with Prejudice and Discharge of *Lis Pendens*, and the undersigned Judge, having heard argument and testimony from Anthony J. Aragona, III, counsel for the Defendants, and Plaintiff, Julia M. Gonzalez, having been duly noticed of this hearing, did not appear at this hearing, and the Court being otherwise fully advised in the premises herein, it is,

ORDERED AND ADJUDGED as follows:

1. The instant action was filed by the Plaintiff, Julia M. Gonzalez, a/k/a Julie M. Gonzalez, ("Gonzalez"), *pro se*, on March 28, 2017. No Defendant has been served with the subject Complaint.
2. The Court takes judicial notice of Case No. 502010DR003810XXXXSB/ Div. FY, a dissolution action, styled Lloyd G. Wickboldt v. Julie M. Gonzalez, where a Final Judgment of Dissolution was entered on July 29, 2013, and thereafter affirmed on appeal by the 4th DCA.
3. The Court also takes notice of the Third Order of Contempt entered in the dissolution action on April 26, 2017, where Gonzalez was held in contempt and ordered to dismiss

the instant lawsuit with prejudice and discharge the *lis pendens* on the subject property within five days of the entry of the Order. The Court finds that Gonzalez has not complied with the Order.

4. The court in the dissolution action held that “[t]his Court has reviewed the two new lawsuits and *lis pendens*, and finds that these lawsuits involve the same parties and subject matter presently before this Court, more specifically, the Property and the Final Judgment entered by this Court, Judge Harrison, on July 29, 2013, which Judgment was affirmed on appeal, *per curiam*, on May 14, 2015. Similar allegations have been made in this case by the Respondent and rejected by this Court on several occasions.” (Third Order of Contempt, Paragraph 2). This Court defers, consistent with the principles of judicial comity, to the findings of the dissolution court in the Third Order of Contempt, the Final Judgment of Dissolution and other Orders of the court.

5. Accordingly, since the parties and issues set forth in the Complaint are presently before the dissolution court, which has reviewed the instant Complaint and *lis pendens*, ordered Gonzalez to dismiss the instant Complaint with prejudice and discharge the *lis pendens* on the subject property, and held Gonzalez in contempt of court for the very filing thereof, this Court orders, that the instant cause of action, Julia M. Gonzalez v. Lloyd G. Wickboldt, et. al., Case No. CACE-17005848, is and the same is hereby DISMISSED WITH PREJUDICE as to all Defendants, and the subject *lis pendens* is DISCHARGED, and is of no further force and effect.

DONE and ORDERED in Chambers at Broward County, Florida this ___ day of May, 2017.

MICHAEL L. GATES
Circuit Judge

MAY 25 2017

MICHAEL L. GATES
CIRCUIT COURT JUDGE

Copies furnished to:

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