

FLORIDA SUPREME COURT

10/25/2017

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CLERK  
DISTRICT COURT OF APPEALS  
FOURTH DISTRICT

THE COURT OF APPEAL FOR THE STATE OF FLORIDA  
IN AND FOR THE FOURTH DISTRICT

CASE NO.: 4D17-1011

L.T. Case No.: 07CA012687

ROBERT ALLEN TRIBBLE, JR.

Appellant/Petitioner

vs.

JB MORGAN CHASE BANK, N.A. et. al.

Appellee/Respondant

\_\_\_\_\_ /

NOTICE OF APPEAL TO FLORIDA SUPREME COURT

Appellant, ROBERT ALLEN TRIBBLE, JR., hereby serves his Notice of Appeal to the Florida Supreme Court, of the District Court's dismissal, for lack of standing of instant appeal and denial of Motion for Rehearing en banc.

Appellant respectfully submits the following three issues of Constitutional law of great public importance for review:

I.

Does innocent, nonborrower actual homeowner have due process of law rights, Florida Constitution Art. I § section 9 , and standing to move to vacate fraudulent mortgage and final summary judgment, where he was not given notice nor a party in the foreclosure of home ?

II.

Does a sucecessor Bank have standing to maintain a foreclosure and sale of an innocent nonborrower's home, based upon a Final Summary Judgment obtained through a fradulent mortgage given a non-owner, through fraud on the courts ? With no Note or actual funding ?

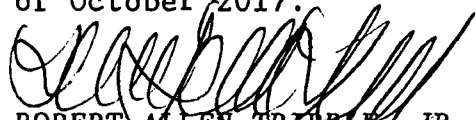
III.

Does a sucecessor Bank have standing when prior Bank filed a Complaint " before " assignment of mortgage, thereby voiding the Final Summary Judgment against home of innocent nonborrower, and non-party to the foreclosure ? And NO proof mortgage funded ?

Appellant/Petitioner respectfully submits that the above Constitutional questions of law HAVE NOT been decided by the Supreme Court resolving an out-of-area, nonborrower homeowner's rights to due process and Notice prior to fraudulent foreclosure judgment against his home. Or the question of Standing to appeal and challenge sale of his home without intervention permission.

The above are questions of great public importance in rights of victim homeowner in mortgage fraud and sale of home.

RESPECTFULLY SUBMITTED this 16th day of October 2017.



ROBERT ALLEN TRIBBLE, JR.  
Appellant/Petitioner Pro Se  
800 S.E. Monterey Rd.  
Stuart, Fl. 34994

CERTIFICATE OF SERVICE

I hereby certify that I have personally caused service of this Notice upon the counsel for appellee, all interest persons and the Clerks of Court for the 17th Judicial Circuit and Supreme Court at their addresses of record this 16th day of October 2017.

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

August 23, 2017

CASE NO.: 4D17-1011  
L.T. No.: 07CA012687

ROBERT ALLEN TRIBBLE, JR. v. JP MORGAN CHASE BANK, N.A., et al.

Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that the appeal is dismissed for lack of standing. See *Lucky Nation, LLC v. Al-Maghazchi*, 186 So. 3d 12, 14 (Fla. 4th DCA 2016) (stating that, where individual moved to vacate foreclosure judgment but did not move to intervene, the individual was not a party and “could not have even appealed the adverse judgment of the trial court”); *Barnett v. Barnett*, 705 So. 2d 63, 64 (Fla. 4th DCA 1997).

DAMOORGIAN, CIKLIN and LEVINE, JJ., concur.

Served:

cc: Elliot B. Kula  
Kate Dulay  
Clyde McPhatter  
Hoy Sun Wong  
Clerk Broward

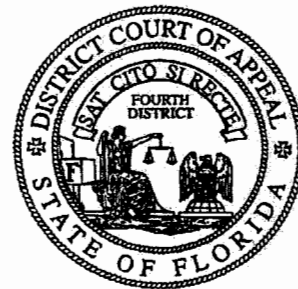
Amy Weaver  
William D. Mueller  
Dept. Of Revenue  
Xiaona Wong

William Aaron Daniel  
Robert Allen Tribble, Jr.  
Mers For Loancity  
Prince Griffin

kh



**LONN WEISSBLUM, Clerk**  
Fourth District Court of Appeal



IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT, 1525 PALM BEACH LAKES BLVD., WEST PALM BEACH, FL 33401

October 11, 2017

CASE NO.: 4D17-1011  
L.T. No.: 07CA012687

ROBERT ALLEN TRIBBLE, JR.

v. JP MORGAN CHASE BANK, N.A., et al.

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Appellant / Petitioner(s)

Appellee / Respondent(s)

**BY ORDER OF THE COURT:**

ORDERED that the appellant's August 29, 2017 "motion for rehearing en banc due to error" is denied.

Served:

cc: Elliot B. Kula  
Kate Dulay  
Clyde McPhatter  
Hoy Sun Wong

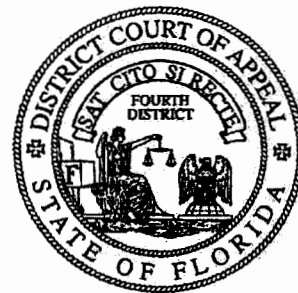
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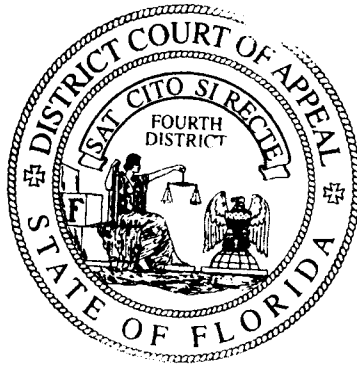
William Aaron Daniel  
Robert Allen Tribble, Jr.  
Mers For Loancity  
Prince Griffin

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**LONN WEISSBLUM, Clerk**  
Fourth District Court of Appeal





I hereby certify that the above and foregoing is a true copy of instrument filed in my office.

**Lonn Weissblum, CLERK  
DISTRICT COURT OF APPEAL OF  
FLORIDA, FOURTH DISTRICT**

Per *Lynn Lewis*  
Deputy Clerk

**FOURTH DISTRICT COURT OF APPEAL  
1525 PALM BEACH LAKES BLVD.  
WEST PALM BEACH, FLORIDA 33401  
(561) 242-2000**

Date: October 25, 2017

Case Name: Robert Allen Tribble, Jr. v. JP Morgan Chase Bank, N.A., Washington Mutual Bank, Clyde McPhatter, Leroy Williams, Mera for Loandcity, Hoy Sun Wong, Xaona Wong, Citifinancial Services, Inc., Dept. of Revenue, Ford Motor Credit, Prince Griffin

Case No: 4D 17-1011

Trial Court No.: 07CA012687

Trial Court Judge: NA

Dear Mr. Tomasino:

Attached is a certified copy of a Notice to Invoke Discretionary Jurisdiction/Notice of Appeal to the Supreme Court of Florida pursuant to Rule 9.120, Florida Rules of Appellate Procedure. Attached also is this Court's opinion or decision relevant to this case.

- The filing fee prescribed by Section 25.241(3), Florida Statutes, was received by this court and will be mailed.
- The filing fee prescribed by Section 25.241(3), Florida Statutes, was not received by this court.
- Petitioner/Appellant has been previously determined insolvent by the circuit court or our court.
- Petitioner/Appellant has already filed, and this court has granted, petitioner/appellant's Motion to proceed without payment of costs in this case.
- Petitioner/Appellant filed Notice via EDCA and the fee has not been received by this court.

No filing fee is required in the underlying case in this court because it was:

- A Summary Appeal (Rule 9.141)
- From the Unemployment Appeals Commission
- A Habeas Corpus Proceeding
- A Juvenile Case
- Other – \_\_\_\_\_

If there are any questions regarding this matter, please do not hesitate to contact this Office.

Sincerely,

LONN WEISSBLUM  
Clerk of the Court

By: /s/ Lynn Lewis  
Lynn Lewis  
Deputy Clerk