

IN THE DISTRICT COURT OF APPEAL
THIRD DISTRICT OF FLORIDA

DAFERO INVESTMENTS, LLC,

Appellant,

v.

ESTRELLA DE ORO, LLC,

Appellee.

CASE NO.: 3D23-1043, 3D23-
1172

L.T. CASE NO. 22-3355

**APPELLANT DAFERO INVESTMENTS, LLC'S MOTION FOR THIRTY
(30) DAY EXTENSION TO FILE REPLY BRIEF**

Appellant, Dafero Investments, LLC ("Dafero"), moves this Court for a thirty (30) day extension of time in which to file its reply brief, that is, through and including Friday, June 28, 2024. As more fully discussed below, undersigned counsel is out of the country attending a Florida Bar retreat and, prior to his leaving, was in trial in a federal bankruptcy matter.

BACKGROUND

1. The Consolidated Appeals both arise from two partial final judgements in the same lower tribunal case (L.T. case no. 2022-003355-CA-01). The crux of the Consolidated Appeals is the propriety of the lower court's declaration that a tax deed issued to Appellant Dafero was invalid on the grounds that Appellee Estrella De Oro, LLC ("Estrella"), the

property's owner, was deprived of due process in connection with the tax deed sale process.¹

2. On December 12, 2023, Dafero filed its Initial Brief.

3. On April 29, 2024, Appellee Estrella De Oro, LLC filed its Response Brief. Estrella sought- and was granted- an unopposed extension of time of 107 days.

4. Under Fla. App. R. 9.210(g), Dafero's Reply Brief is due May 29, 2024.

ARGUMENT

5. Good cause exists for the granting of the extension sought, that is, thirty (30) days.

6. Undersigned Counsel left on May 21, 2024, to Spain to attend the Florida Bar, Small Law Firm Section CLE retreat. This out-of-country trip had been planned for at least seven (7) months. Undersigned Counsel is a guest CLE presenter at the retreat. Prior to his departure, Undersigned Counsel was consumed with trial preparations and trial in the matter of *In*

¹ Succinctly stated, Estrella is the owner of a certain residential condominium unit. Estrella failed to pay its ad valorem taxes, resulting in the 11th Circuit Clerk of the Court conducting a tax deed sale of the subject property on February 10, 2022. Appellant Dafero was the successful bidder at the sale, obtaining title to the Property through a Clerk of Court issued tax deed. The trial court ultimately voided Dafero's tax deed.

re: 7233 Los Pinos, LLC, Case No. 24-12797-RAM, in the United States Bankruptcy Court for the Southern District of Florida.

7. Due to these reasons, as well as the press of other business, Appellant Dafero needs thirty (30) days in which to file its Reply Brief.

8. Counsel for Appellant Dafero contacted via email and phone Counsel for Estrella; however, was informed that he is out of town until Friday, May 31, 2024. Dafero will continue to try to confer and timely notify the Court of Estrella's position.

9. No party will be prejudiced by the granting of the extension sought. Nor has Dafero abused its request for extensions.

WHEREFORE, Appellant Dafero requests this Court enter an order granting it a thirty (30) day extension, that is, through and including Friday, June 28, 2024, in which to file its Reply Brief.

Date: May 29, 2024

Respectfully submitted,

By: /s/ Jason R. Alderman

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was electronically filed with the court via the Florida Courts E-Filing Portal on May 29, 2024 and served via e-mail to the following: **Jorge L. Fors, Jr.** (info@forslegal.com; jforsjr@forslegal.com) & **Daniel C. Fors** (dfors@forslegal.com), 1108 Ponce de Leon Blvd., Coral Gables, FL 33134, *Counsel for Estrella De Oro, LLC*; **Mark Evans Kass** (mekpa60@gmail.com), 1497 N.W. 7th St., Miami, FL 33125, *Counsel for Dafero Investments, LLC*; **Matthew E. Ladd** (mattladd@mllawmiami.com, debora@mllawmiami.com), 4649 Ponce De Leon Blvd., Suite 301, Coral Gables, FL 33146, *Counsel for Dafero Investments, LLC*; **Jennifer L. James** (jjames@alqpl.com, filings@alqpl.com), P.O. Box 311059, Miami Beach, FL 33231, *Counsel for 801 SMA Master Association, Inc.*; **Evonne Andris** (eandris@siegfriedrivera.com, isalazar@siegfriedrivera.com, docketing@siegfriedrivera.com), 8211 West Broward Blvd., Suite 250, Plantation, FL 33324, *Counsel for 801 SMA Designer Suites Condominium Association, Inc.*; **Michael D. Bogen** (michael@condolaw.com, eservice@condolaw.com, jennifer@condolaw.com), 7351 Wiles Road, Suite 202, Coral Springs, FL 33067, *Counsel for 801 SMA Designer Suites Condominium Association, Inc.*; and, **Israel Reyes** (ireyes@reyeslawfirmmpa.com) & **Christopher Reyes** (creyes@reyeslawfirmmpa.com), 343 Alcazar Ave., Coral Gables, FL 33134, *Counsel for Clerk of Courts.*

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