**IN THE CIRCUIT COURT OF THE NINTH, JUDICIAL CIRCUIT, IN AND FOR ORANGE COUNTY, FLORIDA**

**CIVIL ACTION**

**DEUTSCHE BANK TRUST COMPANY AMERICAS, AS TRUSTEE FOR THE HOLDERS OF THE DOVER MORTGAGE CAPITAL CORPORATION, GRANTOR TRUST CERTIFICATE SERIES 2004-A**

**Plaintiff,**

**VS.** **CASE NO.: 2016-CA-006471-O**

**BISHOP MCGUIRE, ET AL**

**Defendants,**

/

**DEFENDANT’S BANK OF AMERICA NOTICE OF CLAIM TO SURPLUS FUNDS IN COURT REGISTRY**

Defendant, **Bank of America**, pursuant to Florida Statute §45.031 timely files this Claim to Surplus Held in the Court Registry resulting from the foreclosure sale in the above-styled case held on April 26th, 2018. Defendant’s claim is based on a Junior Mortgage that was named in Plaintiff’s Complaint. Said Mortgage was executed by Bishop McGuire and Frances McGuire on or around December 3rd, 2003 and recorded in OR BK 07239 PG 4641. Said Mortgage continues to remain unsatisfied. *A copy of the Promissory note and Mortgage are attached hereto as Composite Exhibit “A”*. Pursuant to Florida Statute 45.032 (3)(b), Defendant requests the Court to set a hearing to determine entitlement to the surplus.

Respectfully Submitted this\_\_\_day of\_\_\_\_\_, 2018

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing Notice of Claim for Surplus in Court Registry has been furnished by Electronic and regular U.S. Mail on \_\_\_\_\_\_\_\_\_\_\_, 2018 to the following:

**SERVICE LIST**

CASE NO. **2016-CA-006471-O**

GILBERT GARCIA GROUP, P.A.

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1633 ENSENADA DR

ORLANDO, FL 32825

BLAKE CHRISTOPHER LAWRENCE

13836 OLD DOCK RD

ORLANDO, FL 32828

KIMBERLY ANN LAWRENCE

1633 ENSENADA DR

ORLANDO, FL 32825

LEON B. CHEEK, III, ESQ. FOR ANY AND ALL UNKNOWN PARTIES CLAIMING BY, THROUGH, UNDER OR AGAINST BISHOP MCGUIRE, DECEASED, WHO ARE NOT KNOWN TO BE DEAD OR ALIVE, WHETHER SAID UNKNOWN PARTIES MAY CLAIM AN INTEREST AS SPOUSES, HEIRS, DEVISEES, GRANTEES OR OTHER CLAIMANTS

1150 LOUISIANA AVE.

SUITE 6-A

WINTER PARK, FL 32789

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