

DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FOURTH DISTRICT  
*January Term 2011*

**STEVEN GLANZ,**  
Petitioner,

v.

**CATHERINE IRENE GLANZ,**  
Respondent.

No. 4D11-499

[June 29, 2011]

PER CURIAM.

Petitioner and respondent were involved in a bitter divorce. After the petitioner failed to pay sums due by the final judgment, the respondent moved for an order to permit her to file a notice of lis pendens against the former husband's office condominium, which was owned by a separate corporation, Glanz Real Estate Holdings, LLC, which was not a party to the proceedings. The court granted the motion, and the notice of lis pendens was filed. Petitioner seeks a writ of certiorari to review that order and filing of the notice. Based upon the controlling authority of *Marbin v. Cohen*, 789 So. 2d 1193 (Fla. 4th DCA 2001), we grant the petition. Without the titleholder of the subject property being made a party to the proceedings, the lis pendens is "entirely without legal basis." We quash the order. The lis pendens is discharged.

WARNER, DAMOORGIAN and LEVINE, JJ., concur.

\* \* \*

Petition for writ of certiorari to the Circuit Court for the Fifteenth Judicial Circuit, Palm Beach County; Charles E. Burton, Judge; L.T. Case No. 502009DR014779SBFY.

Amy D. Shield of Amy D. Shield, P.A., Boca Raton, for petitioner.

Mark A. Levy and Kenneth A. Gordon of Brinkley Morgan, Fort Lauderdale, for respondent.

***Not final until disposition of timely filed motion for rehearing.***