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This opinion shall not "constitute precedent or be binding upon any court."
Although it is posted on the internet, this opinion is binding only on the
parties in the case and its use in other cases is limited. R.1:36-3.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-5040-15T1

CITIBANK, NA, as Trustee for
the Holders of Bear Stearns
Arm Trust, Mortgage Pass-
Through Certificates, Series
2007-1,

Plaintiff-Respondent,

v.

ARVIN PHILLIP and SHAMELA
PHILLIP,

Defendants-Appellants,

and

BANK OF AMERICA, NA,

Defendant.

Submitted September 13, 2017 – Decided September 28, 2017

Before Judges Fuentes and Manahan.

On appeal from Superior Court of New Jersey,
Chancery Division, Monmouth County, Docket No.
F-031247-08.

Arvin Phillip and Shamela Phillip, appellants
pro se.

Henry F. Reichner (Reed Smith LLP), attorney
for respondent.

PER CURIAM

In this mortgage foreclosure matter, defendants, Arvin Phillip and Shamela Phillip, appeal from an order entered by the Chancery Division granting a motion to amend final judgment in favor of plaintiff, Citibank, NA, as well as orders denying defendants' motions for reconsideration and to vacate the amended final judgment. Defendants sought to vacate the eight-year-old judgment after failing to defend the action. We affirm.

On appeal, defendants raise the following arguments:

POINT I

TOLLING.

POINT II

STANDING.

POINT III

ASSIGNMENT OF MORTGAGE.

POINT IV

CERTIFICATION OF TABITHA LONDON (INCORRECTLY RULED BY JUDGE CLEARY).

POINT V

CHAIN OF TITLE (THE ISSUE WAS NOT ADDRESSED BY JUDGE CLEARY, HOWEVER, IT IS IMPERATIVE TO HAVE A CLEAR CHAIN OF TITLE FOR THE TRUST TO ACCEPT A LOAN).

POINT VI

THE WELLS FARGO FORECLOSURE MANUAL (ISSUE NOT RAISED BUT DUE TO NEW AND RELEVANT CASE LAW[,] IT IS APPLICABLE).

POINT VII

OTHER RELEVANT CASES (JUDGE CLEARY DID NOT ADDRESS THE JESINOSKI CASE).

POINT VIII

OUT OF STATE DECISIONS.

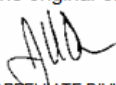
POINT IX

BORROWER'S RIGHT IN THE SECURITIZATION PROCESS.

Having considered the record on appeal in light of the arguments raised by defendants, we find the arguments lack sufficient merit to warrant discussion in a written opinion. R. 2:11-3(e)(1)(E). We affirm for the reasons set forth in the oral opinion of Judge Patricia Del Bueno Cleary, which was premised upon uncontested material facts and applicable settled law.

Affirmed.

I hereby certify that the foregoing is a true copy of the original on file in my office.


CLERK OF THE APPELLATE DIVISION