

Interpersonal Violence Injunctions (DV, SV, Dating, Repeat, Stalking) Case Law

Florida Supreme Court

No new opinions for this reporting period.

First District Court of Appeal

Ashford-Cooper v. Ruff, ___ So. 3d ___, 2017 WL 6347368 (Fla. 1st DCA 2017). **STALKING INJUNCTION REVERSED**. An injunction was entered against a woman at the request of her husband's girlfriend, and the woman appealed. The appellate court reversed, noting that there was no proof that the repeated calls and texts the woman made to her husband caused the girlfriend substantial emotional distress.

https://edca.1dca.org/DCADocs/2017/0035/170035_1287_12132017_11390220_i.pdf

(December 13, 2017)

Reid v. Saunders, ___ So. 3d ___, 2017 WL 6454443 (Fla. 1st DCA 2017). **INJUNCTION AGAINST STALKING REVERSED**. The appellant appealed after an injunction against stalking was entered against her. Because the injunction was not supported by competent, substantial evidence, the appellate court reversed. The petitioner did not provide documentation of the numerous phone calls, emails, and texts referenced during the hearing, and without those there was no way for the trial court to determine whether or not the communications would have created substantial emotional distress under a reasonable person standard.

https://edca.1dca.org/DCADocs/2016/4732/164732_1287_12192017_08215941_i.pdf

(December 19, 2017)

Gaynor v. Gaynor, ___ So. 3d ___, 2017 WL 6623984 (Fla. 1st DCA 2017). **ORDER DENYING MOTION TO DISSOLVE INJUNCTION REVERSED**. The appellant filed a legally sufficient motion alleging a change in circumstances, but it was summarily denied without a hearing. The appellate court reversed and remanded for further proceedings.

https://edca.1dca.org/DCADocs/2017/1426/171426_1287_12292017_08523029_i.pdf

(December 29, 2017)

Second District Court of Appeal

Trowell v. Crawford, ___ So. 3d ___, 2017 WL 6625541 (Fla. 2d DCA 2017). **APPEAL FROM ORDER GRANTING A TEMPORARY INJUNCTION AGAINST REPEAT VIOLENCE DISMISSED**. The trial court entered a temporary injunction against repeat violence in error because the petition failed to allege two incidents of violence; however, the trial court ultimately dismissed the petition, which made the appeal moot.

No link available. (December 29, 2017)

Third District Court of Appeal

No new opinions for this reporting period.

Fourth District Court of Appeal

No new opinions for this reporting period.

Fifth District Court of Appeal

Akin v. Jacobs, __ So. 3d __, 2017 WL 6542506 (Fla. 5th DCA 2017). **INJUNCTION AGAINST STALKING REVERSED**. A co-worker filed a petition against another co-worker after she received harassing anonymous letters, her work space was vandalized, and she discovered through an investigation at work that the co-worker had been tracking her social media pages. However, at trial, the petitioner's evidence was lacking, and she didn't testify that she suffered substantial emotional distress. Therefore, the injunction was reversed.

<http://www.5dca.org/Opinions/Opin2017/121817/5D17-1246.op.pdf> (December 22, 2017)