

## **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***

No new opinions for this reporting period.

### ***Second District Court of Appeal***

No new opinions for this reporting period.

### ***Third District Court of Appeal***

A.S. v. Department of Children and Families, \_\_ So. 3d \_\_, 2017 WL 5473564 (Fla. 3d DCA 2017). **WRIT OF CERT. DENIED**. A grandmother who was the permanent guardian of her minor grandchildren petitioned and was awarded an injunction for protection against domestic violence against the children's mother. The court entered a Stay Away Order in the permanent guardianship case, rather than in the domestic violence matter; the mother petitioned for a writ of certiorari to quash the trial court's order, claiming that she wasn't given proper notice. The appellate court denied the writ of certiorari and noted that the mother had failed to demonstrate a departure from the essential requirements of law that cannot be remedied on direct appeal. <http://www.3dca.flcourts.org/Opinions/3D17-2019.pdf> (November 15, 2017)

### ***Fourth District Court of Appeal***

Vitale v. Holmes, \_\_ So. 3d \_\_, 2017 WL 4958787 (Fla 4th DCA 2017). **SUMMARY DENIAL OF STALKING PETITION REVERSED**. The petitioner filed for injunction against stalking and cited five occurrences of harassment and stalking. The court summarily denied the petition and the petitioner appealed. The appellate court reversed, holding that the trial court was required to hold a hearing or otherwise provide an explanation of the deficiencies in the petition prior to denying it. [https://edca.4dca.org/DCADocs/2017/1462/171462\\_1709\\_11012017\\_09241276\\_i.pdf](https://edca.4dca.org/DCADocs/2017/1462/171462_1709_11012017_09241276_i.pdf) (November 1, 2017)

### ***Fifth District Court of Appeal***

No new opinions for this reporting period.