

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

No new opinions for this reporting period.

Fourth District Court of Appeal

No new opinions for this reporting period.

Fifth District Court of Appeal

Hamane v. Elofir, __ So. 3d __, 2017 WL 3567310 (Fla. 5th DCA 2017). **INJUNCTION REINSTATED**. The former wife appealed after the court granted a motion dissolving a permanent injunction by the former husband, even though the husband failed to present any evidence showing that “the scenario underlying the injunction no longer existed” or that the circumstances had changed. The appellate court reversed and remanded, ordering that the lower court reinstate the injunction. <http://www.5dca.org/Opinions/Opin2017/081417/5D16-4211.op.pdf> (August 18, 2017)

Packal v. Johnson, __ So. 3d __, 2017 WL 3642025, (Fla. 5th DCA 2017). **STALKING INJUNCTION REVERSED**. The trial court granted a permanent injunction against stalking after the respondent pushed and verbally confronted his neighbor after she set off fireworks on the 4th of July. The appellate court reversed the lower court’s decision, finding that there was not competent, substantial evidence to support a finding of stalking. The entire incident took place within a twenty minute time frame, which the appellate court ruled was not a series or pattern of conduct and was not harassment, as the statute requires. <http://www.5dca.org/Opinions/Opin2017/082117/5D16-3183.op.pdf> (August 25, 2017)