

Domestic Violence Case Law

Florida Supreme Court

No new cases reported.

First District Court of Appeals

No new cases reported.

Second District Court of Appeals

Parrish v. Parrish, ___ So.3d ___, 2014 WL 3765819 (Fla. 2d DCA 2014) **CASE REMANDED FOR DUE PROCESS VIOLATION** The wife filed her third petition for temporary injunction for protection against domestic violence against her husband, but the trial court denied the petition because it believed the new petition raised allegations that had been resolved by the wife's voluntary dismissal of an injunction previously entered. The wife appealed and the court held that the wife was denied due process and remanded the case for a hearing, noting that an incident was included in the third petition that could not have been considered in the initial proceedings. August 1, 2014.

http://www.2dca.org/opinions/Opinion_Pages/Opinion_Pages_2014/August/August%2001,%202014/2D13-4639.pdf

Third District Court of Appeals

No new cases reported.

Fourth District Court of Appeals

Selph v. Selph, ___ So.3d ___, 2014 WL 3928415 (Fla. 4th DCA 2014) **DOMESTIC VIOLENCE INJUNCTION REVERSED** The husband appealed an order that entered a domestic violence injunction against him. The wife testified that the husband ordered their dog to attack her, however, the petition was filed 5 months after the incident. The wife did not call the police or seek medical attention. She also claimed that the husband threatened her immigration status and made her work long hours at their business with little pay. The appellate court held that the allegations did not constitute an assault, battery, false imprisonment, or a criminal offense resulting in physical injury as required by the statute, and since the evidence was not legally sufficient to support a finding of domestic violence, they reversed the lower court's decision. August 13, 2014. <http://www.4dca.org/opinions/Aug%202014/08-13-14/4D13-2488.op.pdf>

Fifth District Court of Appeals

Colin v. Colin, ___ So.3d ___, 2014 WL 4249752 (Fla. 5th DCA 2014) **DOMESTIC VIOLENCE INJUNCTION AFFIRMED** The husband appealed the entry of an injunction for domestic violence against him and the amount of child support he was ordered to pay. The appellate court found that there was sufficient evidence to support the injunction and affirmed. It

also noted that two issues, including child support, were not preserved for their consideration. The court stated that a party cannot appeal inadequate findings from a dissolution case unless the alleged defect is brought to the trial court's attention in a motion for rehearing. August 29, 2014.
<http://www.5dca.org/Opinions/Opin2014/082514/5D13-3314.op.pdf>