

Domestic Violence Case Law

Florida Supreme Court

No new cases reported.

First District Court of Appeal

No new cases reported.

Second District Court of Appeal

Spaulding v. Shane, ___ So. 3d ____, 2014 WL 5652588 (Fla. 2d DCA 2014). **DENIAL OF MOTION TO DISSOLVE A DOMESTIC VIOLENCE INJUNCTION REVERSED**. The court denied a motion to dissolve a permanent injunction for protection against domestic violence filed by a prisoner serving a forty-year term who had no contact with the victim for over 10 years. The appellate court reversed and noted that the party must show that there is a change in circumstance since the injunction was entered in order to get an injunction dissolved. In this case, the prison term constituted a change in circumstances that showed that the scenario underlying the injunction no longer existed. November 05, 2014.

http://www.2dca.org/opinions/Opinion_Pages/Opinion_Pages_2014/November/November%2005,%202014/2D12-1963.pdf

Phillips v. Phillips, ___ So. 3d ____, 2014 WL 5784553 (Fla. 2d DCA 2014). **DOMESTIC VIOLENCE INJUNCTION REVERSED**. The court entered an injunction for a wife against her estranged husband and the husband appealed, claiming that the wife had no reasonable cause to believe she was in imminent danger. The appellate court agreed with the husband and reversed, stating that the evidence was legally insufficient to meet the statutory requirements. There had been no violence or threat of violence, and the couple had been separated for several months before she filed the petition. November 07, 2014.

http://www.2dca.org/opinions/Opinion_Pages/Opinion_Pages_2014/November/November%2007,%202014/2D13-1233.pdf

Phillips v. Hughes, ___ So. 3d ____, 2014 WL 5784561 (Fla. 2d DCA 2014). **DOMESTIC VIOLENCE INJUNCTION REVERSED**. The court entered an injunction for protection against domestic violence for a mother against the father of a child in common and the father appealed. The appellate court reversed the order and held that the mother failed to present sufficient evidence of her fear that violence was imminent. There had been no actual violence between mother and father and no evidence admitted to support the mother's fear. November 07, 2014.

http://www.2dca.org/opinions/Opinion_Pages/Opinion_Pages_2014/November/November%2007,%202014/2D13-1238.pdf

Third District Court of Appeal

No new cases reported.

Fourth District Court of Appeal

No new cases reported.

Fifth District Court of Appeal

No new cases reported.