

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

**Doron Jockey Club, LLC v. The Jockey Club Condominium
Apartments, Inc.**

No. 3D24-0930 · No. 3D24-0930 · Decided May 21, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the circuit court judgment in an appeal involving Doron Jockey Club, LLC and The Jockey Club Condominium Apartments, Inc. The court cited standards concerning competent substantial evidence, appellate review of weighing evidence, and implied permission to enter premises.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed May 21, 2025. Not final until disposition of timely filed motion for rehearing. No. 3D24-0930 Lower Tribunal No. 22-844-CA-01 Doron Jockey Club, LLC, etc., Appellant, vs. The Jockey Club Condominium Apartments, Inc., Appellee. An Appeal from the Circuit Court for Miami-Dade County, Lisa S. Walsh, Judge.

Pierce Schultz PLLC, and Pierce Schultz (Boca Raton), for appellant. Armstrong Teasdale LLP, Marlon Weiss, Jeffrey R. Lam, and Glen H. Waldman, for appellee. Before FERNANDEZ, GORDO and LOBREE, JJ. PER CURIAM. Affirmed. See *Tibbs v. State*, 397 So. 2d 1120, 1123 (Fla. 1981) (providing that legal sufficiency of a judgment is reviewed for competent substantial evidence); *Noonan v. Snipes*, 569 So.

2d 1381, 1381 (Fla. 2d DCA 1990) (“[A]n appellate court is not entitled to reweigh the evidence which was already weighed by the trial court.”); *Boston Mfrs. Mut. Ins. Co. v. Fornalski*, 234 So. 2d 386, 387 (Fla. 4th DCA 1970) (“Permission to come upon one’s premises may be implied from custom, usage or conduct.”); see also *Crowell v. Fla. Power Corp.*, 438 So.

2d 958, 959 (Fla. 2d DCA 1983); *Florida Publ’g. Co. v. Fletcher*, 340 So. 2d 914, 917-19 (Fla. 1976). 2