

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Frantz Olivier and Frantz Olivier & Associates, P.A. v. Patch of Land, LLC #201500001

No. 3D24-1960 (Fla. 3d DCA Oct. 29, 2025) · No. 3D24-1960 · Decided October 29, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the circuit court's decision in a dispute involving Frantz Olivier, Frantz Olivier & Associates, P.A., and Patch of Land, LLC. The court relied on Florida's deficiency-decree statute and the law-of-the-case doctrine.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Emas; Fernandez; Gooden
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 29, 2025
DOCKET	3D24-1960
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a decision of the Circuit Court for Miami-Dade County.
PRECEDENTIAL VALUE	Published
PARTIES	Frantz Olivier, Frantz Olivier & Associates, P.A. v. Patch of Land, LLC #201500001

TOPICS

- appellate procedure
- foreclosure
- remedies
- real estate

PRACTICE AREAS

- appellate procedure
- real estate
- foreclosure
- remedies

QUESTIONS PRESENTED

- Whether the circuit court's ruling should be affirmed under the statutory discretion governing deficiency decrees and the law-of-the-case doctrine.

HOLDINGS

1. The circuit court's ruling was affirmed. The court relied on section 702.06, Florida Statutes, which places the entry of a deficiency decree within the sound discretion of the court, and on the law-of-the-case doctrine governing previously decided legal questions.

KEY QUOTATIONS

“[T]he entry of a deficiency decree for any portion of a deficiency, should one exist, shall be within the sound discretion of the court” (2)

“By ‘law of the case’ is meant the principle that the questions of law decided on appeal to a court of ultimate resort must govern the case in the same court and the trial court, through all subsequent stages of the proceedings” (2)

“Therefore, the ‘law of the case’ doctrine applies. Under this doctrine, all points of law which have been previously adjudicated by a majority of this Court may be reconsidered only where a subsequent hearing or trial develops material changes in the evidence, or where exceptional circumstances exist whereby reliance upon the previous decision would result in manifest injustice.” (2)

FACTUAL BACKGROUND

The opinion contains no substantive factual narrative. The appeal appears to concern the entry or denial of a deficiency decree in a foreclosure-related matter, but the court's two-page per curiam opinion does not describe the underlying transaction or proceedings in detail.

PROCEDURAL HISTORY

Frantz Olivier and Frantz Olivier & Associates, P.A. appealed a ruling of the Miami-Dade County Circuit Court. The Third District Court of Appeal affirmed without a written explanation beyond citing the governing statute and law-of-the-case authorities.

DISPOSITION

affirmed

CASES CITED

- McGregor v. Provident Tr. Co. of Philadelphia, 162 So. 323, 327 (Fla. 1935)
- Henry v. State, 649 So. 2d 1361, 1364 (Fla. 1994)