

FLORIDA THIRD DISTRICT COURT OF APPEAL

Justin Robert Muoio v. Jessica Lynn Safinya

377 So. 2d 1150 (Fla. 3d DCA 2026) · No. No. 3D25-2068 · Decided June 10, 2026

SUMMARY

The Third District Court of Appeal of Florida affirmed a non-final order denying Justin Robert Muoio's motion to dissolve a domestic violence injunction. The court held that it was compelled to affirm because the appellant failed to provide an appendix or transcript sufficient to review the alleged error.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed June 10, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-2068 Lower Tribunal No. 14-21027-FC-04 _____ Justin Robert Muoio, Appellant, vs. Jessica Lynn Safinya, Appellee. An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Marie Elizabeth Mato, Judge.

Justin Robert Muoio, in proper person. No appearance, for appellee. Before SCALES, C.J., and FERNANDEZ and MILLER, JJ. PER CURIAM. Appellant Justin Robert Muoio appeals an October 3, 2025 non-final order denying his motion to dissolve a domestic violence injunction. Appellant has not furnished this Court an appendix reflecting the pertinent portions of the record or a transcript of the October 3, 2025 hearing.

We, therefore, are compelled to affirm the lower court's order. Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979) ("In appellate proceedings the decision of a trial court has the presumption of correctness and the burden is on the appellant to demonstrate error.... Without a record of the trial proceedings, the appellate court can not properly resolve the underlying factual issues so as to conclude that the trial court's judgment is not supported by the evidence or by an alternative theory."); Fernandez v. Gonzalez, 405 So.

3d 531, 532-33 (Fla. 3d DCA 2025). Affirmed. 2