

FLORIDA THIRD DISTRICT COURT OF APPEAL

Rich Omoruyi v. Ana Falla

No. 3D25-1866; Lower Tribunal No. 23-21802-CA-01 · No. No. 3D25-1866 · Decided June 24, 2026

SUMMARY

The Florida Third District Court of Appeal affirmed orders striking Rich Omoruyi’s pleadings, dismissing his negligence complaint, and denying his motion to vacate the dismissal. The court held that the limited appellate record, including missing hearing transcripts, did not establish reversible error or a legally sufficient basis for judicial disqualification based on alleged bias.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Fernandez, J.; Lindsey, J.; Lobree, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	June 24, 2026
DOCKET	No. 3D25-1866
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from orders granting the appellee's motion to strike the appellant's pleadings and dismissing the negligence complaint, denying a subsequent motion to vacate the dismissal, and denying a motion to disqualify the trial judge.
STANDARD OF REVIEW	The appellate court could not adequately review the alleged trial-court errors because the appellant failed to provide necessary hearing and case-management-conference transcripts. For judicial disqualification, the issue was whether the alleged facts would cause a reasonably prudent person to fear not receiving a fair and impartial trial.
PRECEDENTIAL VALUE	published
PARTIES	Rich Omoruyi v. Ana Falla, et al.

TOPICS

- appellate procedure
- preservation of error
- due process
- civil procedure
- discovery dispute

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the appellate court could determine that the trial court committed reversible error in dismissing Omoruyi's negligence action while discovery disputes and motions remained pending when Omoruyi failed to provide necessary hearing transcripts.
2. Whether the trial court erred in denying Omoruyi's motion to disqualify based on alleged judicial bias when the record did not show facts causing a reasonably prudent person to fear not receiving a fair and impartial trial.

HOLDINGS

1. When an appellant fails to provide necessary transcripts of relevant trial-court proceedings, the appellate court cannot adequately review the asserted factual and legal errors and will affirm absent a record establishing reversible error.
2. A motion to disqualify a trial judge must allege facts that would place a reasonably prudent person in fear of not receiving a fair and impartial trial; an adverse ruling, standing alone, is not a legally sufficient basis for disqualification.

KEY QUOTATIONS

"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." (at 1)

"Without knowing the factual context, neither can an appellate court reasonably conclude that the trial judge so misconceived the law as to require reversal." (at 1)

"A legally sufficient motion [to disqualify a trial judge] must allege facts that would place a reasonably prudent person in fear of not receiving a fair and impartial trial." (at 2)

"An adverse ruling is not a legally sufficient basis to disqualify a judge." (at 2)

FACTUAL BACKGROUND

Omoruyi brought a negligence action in the Miami-Dade County Circuit Court. The trial court struck his pleadings, dismissed the complaint, denied a motion to vacate the dismissal, and denied a motion to disqualify the judge. Omoruyi asserted that dismissal while discovery disputes and motions were pending violated due process, but he did not provide transcripts of several relevant hearings and case management conferences. He also attributed his alleged fear of an unfair trial to the trial court's adverse rulings.

PROCEDURAL HISTORY

The Miami-Dade County Circuit Court struck Omoruyi's pleadings, dismissed his negligence complaint, denied his motion to vacate the dismissal, and denied his motion to disqualify the trial judge. Omoruyi appealed, arguing that dismissal during pending discovery disputes violated due process and that the denial of

disqualification reflected judicial bias. The Third District Court of Appeal affirmed because the limited appellate record did not permit review of the alleged errors and did not establish legally sufficient grounds for disqualification.

DISPOSITION

affirmed

CASES CITED

- Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979)
- R.J. Reynolds Tobacco Co. v. Cuddihee, 272 So. 3d 796, 797 (Fla. 1st DCA 2019)
- Montes v. Universal Prop. & Cas. Ins. Co., 403 So. 3d 392, 396 (Fla. 2d DCA 2025)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/florida-third-district-court-of-appeal-florida-third-district-court-of-appeal/2026/rich-omoruyi-v-ana-falla-8bvg7w4f>