

SUPREME COURT OF FLORIDA

Battilla v. Allis Chalmers Manufacturing Co.

392 So. 2d 874 (Fla. 1980) · No. No. 55908 · Decided December 11, 1980

SUMMARY

The Florida Supreme Court reversed a circuit court judgment holding that the product liability action was barred by Florida's twelve-year statute of repose for products liability claims, section 95.031(2), Florida Statutes (1975). Relying on Overland Construction Co. v. Sirmons and related cases, the Court held that the statute, as applied, denied access to courts under article I, section 21 of the Florida Constitution; a dissent would have upheld the statute.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Sundberg, C.J.; Adkins, J.; Boyd, J.; England, J.; McDonald, J.; Overton, J.; Alderman, J.
JURISDICTION	Florida
DECIDED	December 11, 1980
DOCKET	No. 55908
DISPOSITION	reversed
PROCEDURAL POSTURE	Appeal from a circuit-court judgment holding that the plaintiffs' product-liability action was barred by Florida's statute of limitations.
STANDARD OF REVIEW	De novo review of the constitutionality and validity of the statute of limitations.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Florida.
PARTIES	Dante A. Battilla, Gail A. Battilla v. Allis Chalmers Manufacturing Company, Travelers Insurance Company

TOPICS

- products liability
- constitutional law
- statutory interpretation
- appellate jurisdiction
- appellate procedure

PRACTICE AREAS

- products liability
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether applying section 95.031(2), Florida Statutes (1975), to this product-liability action violates the Florida Constitution's access-to-courts guarantee.
2. Whether the circuit court correctly held that section 95.031 barred the product-liability action.

HOLDINGS

1. As applied to this case, section 95.031 denies access to courts in violation of article I, section 21, of the Florida Constitution.

KEY QUOTATIONS

“We reverse on the authority of Overland Construction Co. v. Sirmons, 369 So. 2d 572 (Fla. 1979), and hold that, as applied to this case, section 95.031 denies access to courts under article I, section 21, Florida Constitution.” (392 So. 2d at 874)

FACTUAL BACKGROUND

The plaintiffs brought a product-liability action against the manufacturer and its insurer. The circuit court concluded that section 95.031(2), Florida Statutes (1975), barred the action twelve years after the product's sale. The Florida Supreme Court addressed whether applying that statute to the plaintiffs' action denied access to courts under article I, section 21, of the Florida Constitution.

PROCEDURAL HISTORY

The Circuit Court of the Seventeenth Judicial Circuit in and for Broward County held that section 95.031, Florida Statutes (1975), barred the product-liability action. The Florida Supreme Court exercised jurisdiction because the judgment passed on the validity of a state law and reversed.

DISPOSITION

reversed

CASES CITED

- Overland Construction Co. v. Sirmons, 369 So. 2d 572 (Fla. 1979)
- Purk v. Federal Press Co., 387 So. 2d 354 (Fla. 1980)
- Bauld v. J.A. Jones Construction Co., 357 So. 2d 401 (Fla. 1978)
- Matthews v. Lawnlite Co., 88 So. 2d 299 (Fla. 1956)
- West v. Caterpillar Tractor Co., Inc., 336 So. 2d 80 (Fla. 1976)

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