

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Alexis Cabrales v. Home Depot U.S.A., Inc.

No. 3D24-1283 (Fla. 3d DCA Nov. 5, 2025) · No. 3D24-1283 · Decided November 5, 2025

SUMMARY

The Florida Third District Court of Appeal reversed a final summary judgment entered for Home Depot U.S.A., Inc. on claims for false imprisonment, false arrest, and malicious prosecution. The court held that the summary judgment evidence revealed a genuine dispute of material fact concerning Home Depot's asserted shopkeeper immunity defense and remanded for further proceedings.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	Emas; Miller; Lobree
JURISDICTION	Florida Third District Court of Appeal
DECIDED	November 5, 2025
DOCKET	3D24-1283
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Plaintiff appealed a final summary judgment entered for Home Depot U.S.A., Inc. on claims for false imprisonment, false arrest, and malicious prosecution.
STANDARD OF REVIEW	De novo review applies to the entry of summary final judgment, and the summary-judgment evidence must be viewed in the light most favorable to the nonmoving party.
PRECEDENTIAL VALUE	Published
PARTIES	Alexis Cabrales v. Home Depot U.S.A., Inc., et al.

TOPICS

- summary judgment
- affirmative defenses
- standard of review
- false imprisonment
- malicious prosecution

PRACTICE AREAS

- civil procedure
- torts
- evidence

QUESTIONS PRESENTED

1. Whether the trial court properly entered final summary judgment for Home Depot on Cabrales's claims for false imprisonment, false arrest, and malicious prosecution.
2. Whether Home Depot established that no genuine dispute of material fact existed regarding its shopkeeper-immunity affirmative defense.

HOLDINGS

1. Final summary judgment was improper because the summary-judgment evidence left a genuine dispute as to a material fact.

KEY QUOTATIONS

“there remains a genuine dispute as to a material fact.”

FACTUAL BACKGROUND

Cabrales asserted claims against Home Depot for false imprisonment, false arrest, and malicious prosecution. Home Depot sought summary judgment based on the shopkeeper-immunity provision in section 812.015(3)(a), Florida Statutes (2019), which it had pleaded as an affirmative defense. The appellate court concluded that the evidence submitted on the motion left a genuine dispute as to a material fact.

PROCEDURAL HISTORY

Cabrales brought claims for false imprisonment, false arrest, and malicious prosecution in the circuit court. Home Depot moved for summary judgment based on the statutory shopkeeper-immunity affirmative defense. The Circuit Court for Miami-Dade County entered final summary judgment for Home Depot, and Cabrales appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings.

CASES CITED

- Volusia County v. Aberdeen at Ormond Beach, L.P., 760 So. 2d 126 (Fla. 2000)
- Williams v. Ryta Food Corp., 301 So. 3d 339 (Fla. 3d DCA 2020)
- CG Tides LLC v. SHEDDF3 VNB, LLC, 388 So. 3d 1081 (Fla. 3d DCA 2024)
- Martinez v. Selene Finance LP, 394 So. 3d 114 (Fla. 3d DCA 2024)
- Arce v. Citizens Property Insurance Corp., 388 So. 3d 205, 208 n. 2 (Fla. 3d DCA 2024)
- Celotex Corp. v. Catrett, 477 U.S. 317, 323 (1986)

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