

# DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

## Leslie G. Greenwood v. Drew A. Greenwood

No. 3D24-1585 (Fla. 3d DCA Sept. 17, 2025) · No. No. 3D24-1585 · Decided September 17, 2025

### SUMMARY

The Florida Third District Court of Appeal affirmed an order denying the Mother's request to relocate the parties' minor child from Miami to Gainesville. The court held that the trial court properly applied Florida's relocation statute, made findings supported by competent, substantial evidence, and did not abuse its discretion.

### CASE DETAILS

|                       |                                                                                                                                                                                                                                                                   |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | District Court of Appeal of Florida, Third District                                                                                                                                                                                                               |
| WRITING FOR THE COURT | Gooden, J.; Fernandez, J.; Miller, J.                                                                                                                                                                                                                             |
| JURISDICTION          | Florida Third District Court of Appeal                                                                                                                                                                                                                            |
| DECIDED               | September 17, 2025                                                                                                                                                                                                                                                |
| DOCKET                | No. 3D24-1585                                                                                                                                                                                                                                                     |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                          |
| PROCEDURAL POSTURE    | Both parents appealed the circuit court's order denying the Mother's motion to relocate the minor child from Miami to Gainesville.                                                                                                                                |
| STANDARD OF REVIEW    | Whether the trial court properly applied Florida's relocation statute is reviewed de novo. The relocation decision itself is reviewed for abuse of discretion, and the trial court's factual findings are upheld if supported by competent, substantial evidence. |
| PRECEDENTIAL VALUE    | published                                                                                                                                                                                                                                                         |
| PARTIES               | Leslie G. Greenwood v. Drew A. Greenwood                                                                                                                                                                                                                          |

### TOPICS

- relocation
- family law procedure
- statutory interpretation
- standard of review
- appellate procedure

### PRACTICE AREAS

- family law
- relocation
- appellate procedure

### QUESTIONS PRESENTED

1. Whether the trial court properly applied section 61.13001, Florida Statutes, including its burden-shifting framework and statutory relocation factors.
2. Whether the trial court abused its discretion or entered findings unsupported by competent, substantial evidence in denying the Mother's relocation request.

## HOLDINGS

1. The trial court properly applied section 61.13001, Florida Statutes, including its burden-shifting framework and the subsection (7) relocation factors, without applying a presumption for or against relocation.
2. The trial court did not abuse its discretion in denying relocation, and its findings were supported by competent, substantial evidence.

## KEY QUOTATIONS

*“Ultimately, it found that the Father met his burden and relocation was not in the best interest of the child.”*  
(at 1)

*“To hold otherwise would require us to reweigh evidence and substitute our judgment and findings for those of the trial court.”* (at 1-2)

*“But the case may not be retried on appeal, and a ruling which is supported by competent substantial evidence will be upheld even though there may be some persuasive evidence to the contrary.”* (at 3)

## FACTUAL BACKGROUND

The Mother sought to relocate the parties' minor child from Miami to Gainesville. Following an eleven-day hearing, the trial court found that the Father met his burden under Florida's relocation statute and that relocation was not in the child's best interest; the appellate court noted that both parents were devoted to and actively involved in the child's life.

## PROCEDURAL HISTORY

After an eleven-day hearing, the Circuit Court for Miami-Dade County entered a twenty-four-page order denying the Mother's relocation motion. The Mother and Father separately appealed that order, and the Third District Court of Appeal affirmed in all respects.

## DISPOSITION

affirmed

## CASES CITED

- Milton v. Milton, 113 So. 3d 1040, 1041 (Fla. 1st DCA 2013)
- Rossman v. Profera, 67 So. 3d 363, 365-66 (Fla. 4th DCA 2011)
- Sanabria v. Sanabria, 271 So. 3d 1101, 1104 (Fla. 3d DCA 2019)

- Wiggins v. Fla. Dep't of Highway Safety & Motor Vehicles, 209 So. 3d 1165, 1173 (Fla. 2017)
- De Groot v. Sheffield, 95 So. 2d 912, 916 (Fla. 1957)
- Shaw v. Shaw, 334 So. 2d 13, 16 (Fla. 1976)
- Lahodik v. Lahodik, 969 So. 2d 533, 535 (Fla. 1st DCA 2007)
- Fla. Mining & Materials v. Mobley, 649 So. 2d 934, 934 (Fla. 1st DCA 1995)
- Froman v. Froman, 458 So. 2d 833, 833 (Fla. 3d DCA 1984)

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