

SIXTH DISTRICT COURT OF APPEAL OF FLORIDA

Grady C. Judd, Sheriff of Polk County v. Christina Haegele, as
Personal Representative of the Estate of Chance Haegele

Case No. 6D2024-0069; Lower Tribunal No. 21-CA-234 · No. 6D2024-0069 · Decided March 28, 2025

SUMMARY

The Sixth District Court of Appeal of Florida reversed an order denying sanctions under section 57.105(1), Florida Statutes, in litigation arising from the fatal shooting of Chance Haegele by Polk County sheriff’s deputies. The court held that a prior federal determination that the deputies’ use of deadly force was reasonable and non-excessive established their statutory immunity from subsequent civil claims arising from the shooting. The court remanded for further proceedings on the sanctions motion.

CASE DETAILS

COURT	Sixth District Court of Appeal of Florida
WRITING FOR THE COURT	B.D. Lambert, Associate Judge; Stargel, J.; Wozniak, J.
JURISDICTION	Florida Sixth District Court of Appeal
DECIDED	March 28, 2025
DOCKET	6D2024-0069
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from a post-final-judgment order denying appellants' motion for sanctions under section 57.105(1), Florida Statutes, following prior state-court litigation in which judgment had been entered for appellants on collateral-estoppel and statutory-immunity grounds.
STANDARD OF REVIEW	Generally, abuse of discretion applies to an order concerning section 57.105(1) attorney's fees; de novo review applies to the extent the order is based on an issue of law.
PRECEDENTIAL VALUE	published
PARTIES	Grady C. Judd, in his official capacity as Sheriff of Polk County, Reginald Green, individually, Joseph Hicks, individually v. Christina Haegele, as Personal Representative of the Estate of Chance Haegele, deceased, for the benefit of his estate and survivors, Christina Haegele, individually

TOPICS

sanctions

attorney fees

res judicata

section 1983

civil procedure

PRACTICE AREAS

civil procedure

appellate procedure

torts

civil rights

remedies

QUESTIONS PRESENTED

1. Whether the trial court erred by denying appellants' motion for sanctions under section 57.105(1), Florida Statutes.
2. Whether the federal court's determination that the deputies' use of deadly force was not excessive and was reasonably necessary to protect against an immediate threat established, as a matter of law, immunity under section 776.032(1) from Haegele's subsequent state-law wrongful-death and battery claims.
3. Whether the differing elements of the state-law claims and the prior federal § 1983 claims precluded sanctions.

HOLDINGS

1. The trial court reversibly erred in denying appellants' motion for sanctions because the material facts previously determined by the federal court and the applicable law established that appellants were immune from Haegele's subsequent civil action.
2. The different elements of Haegele's wrongful-death and battery claims, as compared with her federal § 1983 claims, did not prevent application of the statutory immunity or support denial of sanctions.
3. When the requirements of section 57.105(1) are satisfied, the statute mandates an award of reasonable attorney's fees.

KEY QUOTATIONS

“once the federal court determined that the Deputies’ use of deadly force was not excessive and was reasonably necessary to defend themselves from being harmed by Decedent, they, and by implication, Judd, were, as a matter of law, immune under the plain language of section 776.032(1) from any type of civil action brought against them by Haegele for shooting Decedent.” (at 10)

“Under these circumstances, when the requirements of section 57.105(1) are met, the statute directs that a trial court “shall” award a reasonable attorney’s fee.” (at 11)

FACTUAL BACKGROUND

Deputies Reginald Green and Joseph Hicks responded after receiving reports that Chance Haegele had made a suicidal social-media post and possessed a shotgun. After Haegele fled with the weapon, the deputies repeatedly ordered him to drop it; he instead moved toward a deputy and pointed or raised the shotgun at him. The deputies shot Haegele, resulting in his death. A federal court later found that the deputies reasonably feared for their safety and the safety of others and that the shooting did not violate the Fourth Amendment.

PROCEDURAL HISTORY

Haegle previously sued the Sheriff and deputies in federal court under 42 U.S.C. § 1983 and Florida's Wrongful Death Act. The federal court entered summary judgment on the § 1983 claims after finding that the deputies' use of deadly force was not excessive, and dismissed the state claims without prejudice. Haegle then filed a state-court action alleging wrongful death and battery; the trial court entered judgment for appellants based on collateral estoppel and immunity under sections 776.012(2) and 776.032(1), and this court affirmed without opinion. On remand, the trial court denied appellants' section 57.105(1) sanctions motion, leading to this appeal.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the order denying appellants' motion for sanctions and remand for further proceedings consistent with the opinion, including proceedings concerning the mandatory award of reasonable attorney's fees under section 57.105(1).

CASES CITED

- Clearwater Fed. Sav. & Loan Ass'n v. Sampson, 336 So. 2d 78, 79 (Fla. 1976)
- Terrell v. Smith, 668 F.3d 1244, 1250 (11th Cir. 2012)
- Garczynski v. Bradshaw, 573 F.3d 1158, 1168 (11th Cir. 2009)
- Montoute v. Carr, 114 F.3d 181, 185 (11th Cir. 1997)
- Jean-Baptiste v. Gutierrez, 627 F.3d 816, 821-22 (11th Cir. 2010)
- Raney v. Allstate Ins., 370 F.3d 1086, 1089 (11th Cir. 2004)
- Haegle v. Judd, Case No. 8:19-cv-2750-T-33CPT, 2020 WL 7710147, at *8-10 (M.D. Fla. Dec. 29, 2020)
- Marquardt v. State, 156 So. 3d 464, 481 (Fla. 2015)
- Topps v. State, 865 So. 2d 1253, 1255 (Fla. 2004)
- Haegle v. Judd, 363 So. 3d 1069 (Fla. 6th DCA 2023)
- Lago v. Kame By Design, LLC, 120 So. 3d 73, 74 (Fla. 4th DCA 2013)
- Ferere v. Shure, 65 So. 3d 1141, 1144 (Fla. 4th DCA 2011)
- Cullen v. Marsh, 34 So. 3d 235, 242 (Fla. 3d DCA 2010)
- S.R. v. State, 346 So. 2d 1018, 1019 (Fla. 1977)
- Neal v. Bryant, 149 So. 2d 529, 532 (Fla. 1963)
- Southford v. Hatton, 566 So. 2d 527, 528-29 (Fla. 2d DCA 1990)
- O'Brien v. Brickell Townhouse, Inc., 457 So. 2d 1123, 1123-24 (Fla. 3d DCA 1984)