DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Elvis Cruz v. City of Miami

387 So. 3d 348 (Fla. 3d DCA 2026) · No. No. 3D24-2199 · Decided May 20, 2026

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed May 20, 2026. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-2199 Lower Tribunal No. 21-10716-CA-01 _____ Elvis Cruz, Appellant, vs. City of Miami, et al., Appellees. An Appeal from the Circuit Court for Miami-Dade County, Migna Sanchez-Llorens, Judge.

David J. Winker, P.A., and David J. Winker, for appellant. George K. Wysong, III, City Attorney, Eric J. Eves, Assistant City Attorney Supervisor and Marguerite C. Snyder, Assistant City Attorney, for appellee City of Miami.

Before LOGUE, MILLER and GOODEN, JJ. PER CURIAM. Affirmed. See Inspired Capital, LLC v. Howell, 387 So. 3d 348, 352 (Fla. 3d DCA 2023) ("A fact finder may award nominal damages upon a finding of a breach.") (emphasis added); Continuum Condo. Ass'n, Inc. v. Continuum VI, Inc., 549 So. 2d 1125, 1127 (Fla. 3d DCA 1989) ("While nominal damages can be awarded when a legal wrong has been proven, but the aggrieved party suffered no damages, or where, e.g., a contract has been breached, but for one reason or another recoverable damages were not proven, such is not the case here.") (citations omitted).

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