

FLORIDA DISTRICT COURT OF APPEAL, FIRST DISTRICT

Dunlap v. Needle Rush Point Owners' Association, Inc.

No. 1D2024-2012 · No. 1D2024-2012 · Decided December 3, 2025

SUMMARY

The Florida First District Court of Appeal reversed a final summary judgment for Needle Rush Point Owners' Association in a premises liability action arising from Jami Dunlap's fall on the association's boardwalk. The court held that Dunlap presented competent evidence creating a genuine issue of material fact concerning causation, including her interrogatory responses, deposition testimony, photographs, and the substance on her shoe.

CASE DETAILS

COURT	Florida District Court of Appeal, First District
WRITING FOR THE COURT	Lewis, J.; M.K. Thomas, J.; Long, J.
JURISDICTION	Florida First District Court of Appeal
DECIDED	December 3, 2025
DOCKET	1D2024-2012
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Jami Dunlap appealed a final summary judgment entered for Needle Rush Point Owners' Association, Inc. in a premises liability action.
STANDARD OF REVIEW	Summary judgment is proper only when the record shows no genuine issue of material fact and the moving party is entitled to judgment as a matter of law; the nonmoving party may defeat summary judgment by presenting competent evidence showing a genuine issue for trial.
PRECEDENTIAL VALUE	Published opinion of the Florida First District Court of Appeal; precedential status is subject to the opinion becoming final after disposition of any timely authorized post-opinion motion.
PARTIES	Jami Dunlap v. Needle Rush Point Owners' Association, Inc.

TOPICS

- premises liability
- summary judgment
- standard of review
- evidence
- appellate procedure

PRACTICE AREAS

premises liability

civil procedure

appellate procedure

evidence

QUESTIONS PRESENTED

1. Whether summary judgment on causation was proper when the plaintiff presented testimony, photographs, and physical evidence supporting her contention that a dangerous condition on the defendant's boardwalk caused her fall.

HOLDINGS

1. Summary judgment was improper because Dunlap presented competent evidence creating a genuine issue for trial regarding whether the rotten wood and slippery green substance on the boardwalk caused her fall.

KEY QUOTATIONS

"By doing so, Appellant presented competent evidence that showed a genuine issue for trial." (at 1)

"Accordingly, we reverse the final summary judgment and remand for further proceedings." (at 1)

FACTUAL BACKGROUND

Dunlap fell and was injured on the Association's boardwalk. She asserted that rotten wood and a green, slippery, moss-like substance caused her fall. Her interrogatory responses and deposition testimony attributed the fall to the boardwalk's condition, and photographs of the boardwalk and her shoe, marked with the green substance, supported her account.

PROCEDURAL HISTORY

Dunlap sued the Association after falling and suffering injuries on the Association's property. The Circuit Court for Escambia County granted the Association final summary judgment on causation, relying on deposition testimony that Dunlap's foot had "given up" and collapsed. The First District Court of Appeal reversed and remanded because Dunlap presented competent evidence creating a genuine issue for trial.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded for further proceedings after reversal of the final summary judgment.

CASES CITED

- Casey v. Mistral Condo. Ass'n, Inc., 380 So. 3d 1278, 1285 (Fla. 1st DCA 2024)
- United States v. Stein, 881 F.3d 853, 857 (11th Cir. 2018)

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