

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Homeowners Choice Insurance Company v. Alexis Jeffrey

No. 3D23-1850 · No. No. 3D23-1850 · Decided October 15, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed the Monroe County Circuit Court's judgment in favor of Alexis Jeffrey in an insurance dispute. The court relied on precedent concerning directed verdicts, review of evidence in the light most favorable to the nonmoving party, and jury-instruction challenges.

CASE DETAILS

COURT	Third District Court of Appeal of Florida
WRITING FOR THE COURT	Lindsey; Gordo; Gooden
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 15, 2025
DOCKET	No. 3D23-1850
DISPOSITION	affirmed
PROCEDURAL POSTURE	Homeowners Choice Insurance Company appealed from the Circuit Court for Monroe County, challenging rulings associated with the denial of a motion for directed verdict and the issuance of jury instructions.
STANDARD OF REVIEW	Rulings on directed verdict are reviewed de novo, with the evidence viewed in the light most favorable to the nonmoving party and every reasonable inference drawn in that party's favor. Jury-instruction rulings are reviewed for abuse of discretion; reversal requires prejudicial error amounting to a miscarriage of justice.
PRECEDENTIAL VALUE	Published
PARTIES	Homeowners Choice Insurance Company v. Alexis Jeffrey

TOPICS

- insurance
- appellate procedure
- standard of review
- motion for directed verdict
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court properly denied Homeowners Choice's motion for directed verdict.
2. Whether the trial court abused its discretion in issuing the challenged jury instructions.

HOLDINGS

1. The denial of the motion for directed verdict was properly affirmed because appellate review requires viewing the evidence and reasonable inferences in favor of the nonmoving party, and a directed verdict is appropriate only when no proper view of the evidence could support a verdict for that party.
2. The challenged jury instructions did not constitute reversible error; jury-instruction decisions are reviewed for abuse of discretion, and reversal requires prejudicial error amounting to a miscarriage of justice.

KEY QUOTATIONS

“A directed verdict should only be granted (or affirmed on appeal) where no proper view of the evidence could sustain a verdict in favor of the non-moving party.” (at 2; quoting 388 So. 3d at 51-52)

“Decisions regarding jury instructions are within the sound discretion of the trial court and absent prejudicial error, shall not be disturbed on appeal.” (at 2; quoting 967 So. 2d at 347-49)

FACTUAL BACKGROUND

The opinion contains no detailed factual narrative. It states that the trial court's rulings concerning a directed verdict and jury instructions were challenged on appeal and that the evidence and instructions did not warrant reversal.

PROCEDURAL HISTORY

The appeal arose from a Monroe County Circuit Court proceeding in which the trial court denied the appellant's motion for directed verdict and issued jury instructions. The Third District Court of Appeal affirmed in a per curiam opinion.

DISPOSITION

affirmed

CASES CITED

- Miami-Dade Cnty. v. Guyton, 388 So. 3d 50, 51-52 (Fla. 3d DCA 2023)
- H & H Elec., Inc. v. Lopez, 967 So. 2d 345, 347-49 (Fla. 3d DCA 2007)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed October 15, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D23-1850 Lower Tribunal No. 21-CA-461-K _____ Homeowners Choice Insurance Company, Appellant. vs. Alexis Jeffrey, Appellee. An Appeal from the Circuit Court for Monroe County, Timothy J. Koenig, Judge.

Butler Weihmuller Katz Craig, LLP, and Mihaela Cabulea (Tampa), for appellant. Chad Barr Law, and Chad A. Barr (Altamonte Springs), for appellee. Before LINDSEY, GORDO and GOODEN, JJ. PER CURIAM. Affirmed. See *Miami-Dade Cnty. v. Guyton*, 388 So. 3d 50, 51-52 (Fla. 3d DCA 2023) (“While we apply de novo review to these rulings, in reviewing the trial court’s denial of the County’s motion for directed verdict... an appellate court must evaluate the evidence in the light most favorable to the non-moving party, drawing every reasonable inference flowing from the evidence in the nonmoving party’s favor, and if there is conflicting evidence or if different reasonable inferences may be drawn from the evidence, then the issue is factual and should be submitted to the jury for resolution.

A directed verdict should only be granted (or affirmed on appeal) where no proper view of the evidence could sustain a verdict in favor of the nonmoving party.... [B]ecause the evidence admitted at trial, viewed in a light most favorable to Guyton, supported the jury’s verdict, we affirm... the trial court’s denial of the County’s motion for directed verdict[.]”); *H & H Elec., Inc. v. Lopez*, 967 So.

2d 345, 347-49 (Fla. 3d DCA 2007) (“We review discretionary issues involving the... issuance of jury instructions for abuse of discretion.... Appellants contend that the jury instructions as given were misleading or confusing....

We disagree.... Decisions regarding jury instructions are within the sound discretion of the trial court and absent prejudicial error, shall not be disturbed on appeal. Prejudicial error requiring a reversal of judgment or a new trial occurs only where the error complained of has resulted in a miscarriage of justice. Furthermore, a miscarriage of justice arises where instructions are reasonably calculated to confuse or mislead the jury.

In the instant case, there is no evidence that the jury instructions given were reasonably calculated to mislead the jury.... As such, we find no reversible error in the issuance of these instructions.”) (internal quotation marks and citations omitted). 3