

THIRD DISTRICT COURT OF APPEAL OF FLORIDA

Halpert v. Naporko

Halpert · No. No. 3D17-1721 · Decided August 23, 2017

SUMMARY

The Third District Court of Appeal of Florida dismissed Haviva Halpert's petition for writ of common law certiorari for lack of jurisdiction. The court held that the petitioner failed to demonstrate irreparable harm, a prerequisite to certiorari relief.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed August 23, 2017. Not final until disposition of timely filed motion for rehearing. _____ No. 3D17-1721 Lower Tribunal No. 15-11645 _____ Haviva Halpert, Petitioner, vs. Pavel Naporko, Respondent.

On Petition for Writ of Certiorari from the Circuit Court for Miami-Dade County, Daryl E. Trawick and Marcia Del Ray, Judges. Nancy A. Hass, P.A. and Nancy A. Hass (Hollywood); Sandy T. Fox, P.A. and Sandy T. Fox, for petitioner. Pazos Law Group, P.A. and Nadia Pazos (Weston), for respondent.

Before SUAREZ, LAGOA, and FERNANDEZ, JJ. SUAREZ, J. Following review of the petition for writ of common law certiorari, it is ordered that said petition is hereby dismissed for lack of jurisdiction. Specifically, the petitioner has failed to demonstrate irreparable harm. Millennium Diagnostic Imaging Ctr., Inc. v. State Farm Mut. Auto. Ins. Co., 129 So. 3d 1086, 1089 (Fla.

3d DCA 2013) ("A party seeking certiorari relief must demonstrate that the trial court's order depart[s] from the essential requirements of law, resulting in irreparable harm that cannot be adequately remedied on final appeal."); Stockinger v. Zeilberger, 152 So. 3d 71, 73 (Fla. 3d DCA 2014) ("The establishment of irreparable harm is a condition precedent to invoking certiorari jurisdiction.").