

FLORIDA FIRST DISTRICT COURT OF APPEAL

Fred Jay Campbell v. Erica Schulze Ising

No. 1D2024-1698, Florida First District Court of Appeal (December 23, 2025)

SUMMARY

The Florida First District Court of Appeal affirmed an injunction for protection against stalking issued in favor of Erica Schulze Ising against Fred Jay Campbell. Judge Winokur dissented, concluding that the evidence did not establish harassment causing substantial emotional distress under section 784.0485, Florida Statutes.

CASE DETAILS

COURT	Florida First District Court of Appeal
WRITING FOR THE COURT	Robert E. Long; M. Kevin Winokur; Marlene K. Alva Osterhaus
JURISDICTION	Florida First District Court of Appeal
DECIDED	December 23, 2025
DOCKET	1D2024-1698
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Circuit Court for Escambia County concerning an injunction for protection against stalking.
STANDARD OF REVIEW	The dissent stated that the evidence should be viewed in the light most favorable to Ising and that the phrase "substantial emotional distress" is evaluated under an objective, reasonable-person standard.
PRECEDENTIAL VALUE	Published opinion; the majority disposition is a one-word per curiam affirmance, and the only substantive analysis appears in a dissent.
PARTIES	Fred Jay Campbell v. Erica Schulze Ising

TOPICS

- appellate procedure
- evidence
- standard of review
- equitable relief

PRACTICE AREAS

- appellate procedure
- injunctions
- stalking protection

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support an injunction for protection against stalking under section 784.0485, Florida Statutes.

KEY QUOTATIONS

““Harass” means “to engage in a course of conduct directed at a specific person which causes substantial emotional distress to that person and serves no legitimate purpose.”” (at 2)

“Even if we view the evidence in the light most favorable to Ising, the evidence did not support a finding that Campbell’s conduct was sufficient to cause “substantial emotional distress” under the reasonable-person standard we must apply.” (at 2)

FACTUAL BACKGROUND

The case involved allegations that Campbell willfully, maliciously, and repeatedly harassed Ising. The circuit court entered an injunction for protection against stalking under section 784.0485, Florida Statutes. In dissent, Judge Winokur concluded that the evidence did not establish conduct causing substantial emotional distress under the reasonable-person standard.

PROCEDURAL HISTORY

Campbell appealed a circuit-court order involving an injunction for protection against stalking. The First District Court of Appeal affirmed per curiam; Judge Winokur dissented and would have reversed for insufficient evidence.

DISPOSITION

affirmed

CASES CITED

- Bouters v. State, 659 So. 2d 235, 238 (Fla. 1995)

OPINION

Fred Jay Campbell v. Erica Schulze Ising

PER CURIAM.

FIRST DISTRICT COURT OF APPEAL

STATE OF FLORIDA

_____ No. 1D2024-1698 _____

FRED JAY CAMPBELL,

Appellant, v.

ERICA SCHULZE ISING,

Appellee. _____ On appeal from the Circuit Court for Escambia County. John Miller, Judge. December 23, 2025 PER CURIAM. AFFIRMED. OSTERHAUS,

C.J., and LONG, J., concur; WINOKUR, J., dissents with opinion.
_____ Not final until disposition of any timely and authorized
motion under Fla. R. App. P. 9.330 or 9.331. _____ WINOKUR, J.,
dissenting. The evidence in this case was not sufficient to show that Campbell willfully,
maliciously, and repeatedly harassed Ising to support an injunction for protection against stalking
pursuant to section 784.0485, Florida Statutes. “Harass” means “to engage in a course of conduct
directed at a specific person which causes substantial emotional distress to that person and serves
no legitimate purpose.” § 784.048(1)(a), Fla. Stat. Even if we view the evidence in the light most
favorable to Ising, the evidence did not support a finding that Campbell’s conduct was sufficient to
cause “substantial emotional distress” under the reasonable-person standard we must apply. See
Bouters v. State, 659 So. 2d 235, 238 (Fla. 1995) (holding that an objective, reasonable-person
standard applies to the phrase “substantial emotional distress”). For this reason, we should reverse.
_____ Jason Cromey of Cromey Law, P.A., Pensacola, for
Appellant. Erica Schulze Ising, pro se, Appellee. 2