

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Geopath Property Holdings, LLC v. Diego R. Espinosa

No. 3D25-1963 · No. 3D25-1963 · Decided December 17, 2025

SUMMARY

The Florida Third District Court of Appeal dismissed Geopath Property Holdings, LLC’s petition for writ of certiorari. The court held that the petition failed to establish the jurisdictional requirement of material and irreparable injury that could not be corrected on appeal.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	M. Kevin Emas; Ivan F. Gordo; Edwin A. Lobree
JURISDICTION	Florida Third District Court of Appeal
DECIDED	December 17, 2025
DOCKET	3D25-1963
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petition for writ of certiorari seeking review of an order of the Circuit Court for Miami-Dade County.
STANDARD OF REVIEW	Certiorari is extraordinary relief available only upon a showing of a departure from the essential requirements of law resulting in material injury for the remainder of the case that cannot be corrected by postjudgment appeal. The material-injury and inability-to-correct-on-appeal elements constitute the jurisdictional irreparable-harm requirement.
PRECEDENTIAL VALUE	Published
PARTIES	Geopath Property Holdings, LLC v. Diego R. Espinosa

TOPICS

- writ of certiorari
- appellate procedure
- appellate jurisdiction
- remedies
- civil procedure

PRACTICE AREAS

- Appellate procedure
- Extraordinary writs
- Civil procedure

QUESTIONS PRESENTED

1. Whether the petition established the jurisdictional requirement of material and irreparable injury that could not be corrected on postjudgment appeal.
2. Whether the petition should be dismissed for failure to satisfy the threshold requirements for certiorari review.

HOLDINGS

1. A petition for writ of certiorari must establish material injury for the remainder of the case that cannot be corrected on postjudgment appeal; if the petition fails to make that threshold showing of irreparable harm, the appellate court must dismiss the petition.

KEY QUOTATIONS

“A writ of certiorari is an extraordinary type of relief that is granted in very limited circumstances.” (Opinion at 2)

“If a petition fails to make a threshold showing of irreparable harm, this Court will dismiss the petition.” (Opinion at 2)

“the continuation of litigation and any ensuing costs, time, and effort in defending such litigation does not constitute irreparable harm” (Opinion at 2)

FACTUAL BACKGROUND

The opinion identifies Geopath Property Holdings, LLC as the petitioner and Diego R. Espinosa as the respondent in a certiorari proceeding arising from a circuit-court order. It does not describe the underlying substantive dispute or the specific order under review. The court resolved the petition on the failure to establish jurisdictional irreparable harm.

PROCEDURAL HISTORY

Geopath Property Holdings, LLC petitioned the Third District Court of Appeal for a writ of certiorari from an order entered by the Circuit Court for Miami-Dade County. The district court dismissed the petition because the petitioner failed to establish the jurisdictional requirement of material and irreparable harm that could not be corrected on postjudgment appeal.

DISPOSITION

dismissed

CASES CITED

- Universal Handicraft, Inc. v. Cohen, 393 So. 3d 834, 835 (Fla. 3d DCA 2024)
- Walgreen Co. v. Rubin, 229 So. 3d 418, 420-21 (Fla. 3d DCA 2017)
- Coral Gables Chiropractic PLLC v. United Auto. Ins. Co., 199 So. 3d 292, 294 (Fla. 3d DCA 2016)

- Rodriguez v. Miami-Dade County, 117 So. 3d 400, 405 (Fla. 2013)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed December 17, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D25-1963 Lower Tribunal No. 25-7909-CA-01 _____ Geopath Property Holdings, LLC, Petitioner, vs. Diego R. Espinosa, Respondent.

On Petition for Writ of Certiorari from the Circuit Court for Miami-Dade County, Lourdes Simon, Judge. Mark Ferrer & Hayden and Maia Aron and Ashley Saul, for petitioner. Block & Scarpa and Michael Kissner, Jr., (Vero Beach), for respondent.

Before EMAS, GORDO and LOBREE, JJ. PER CURIAM. Dismissed. See Universal Handicraft, Inc. v. Cohen, 393 So. 3d 834, 835 (Fla. 3d DCA 2024) (“The petition is dismissed for failure to establish the first, and jurisdictional, requirement for certiorari, namely that the order under review will cause material and irreparable injury that cannot be corrected on appeal.”); Walgreen Co. v. Rubin, 229 So.

3d 418, 420–21 (Fla. 3d DCA 2017) (“A writ of certiorari is an extraordinary type of relief that is granted in very limited circumstances. To be entitled to certiorari, the petitioner is required to establish the following three elements: (1) a departure from the essential requirements of the law, (2) resulting in material injury for the remainder of the case (3) that cannot be corrected on postjudgment appeal.

The last two elements, often referred to as ‘irreparable harm,’ are jurisdictional. If a petition fails to make a threshold showing of irreparable harm, this Court will dismiss the petition.” (quoting Coral Gables Chiropractic PLLC v. United Auto. Ins. Co., 199 So. 3d 292, 294 (Fla. 3d DCA 2016))); Rodriguez v. Miami-Dade Cnty., 117 So. 3d 400, 405 (Fla. 2013) (stating “that the continuation of litigation and any ensuing costs, time, and effort in defending such litigation does not constitute irreparable harm”).