

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Maria Morales v. Citizens Property Insurance Corporation

No. 3D24-0096 · No. 3D24-0096 · Decided August 6, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed a summary judgment in favor of Citizens Property Insurance Corporation. The court relied on precedent concerning an insured’s failure to provide prompt notice of hurricane-related damage and the inability to create a factual dispute by contradicting prior deposition testimony with an affidavit.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	Fernandez; Logue; Lindsey
JURISDICTION	Florida Third District Court of Appeal
DECIDED	August 6, 2025
DOCKET	3D24-0096
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a summary judgment entered by the Circuit Court for Miami-Dade County in favor of Citizens Property Insurance Corporation.
STANDARD OF REVIEW	Summary judgment is reviewed under the applicable Florida summary-judgment standard; the opinion does not expressly state the standard of review.
PRECEDENTIAL VALUE	Published Florida Third District Court of Appeal opinion
PARTIES	Maria Morales v. Citizens Property Insurance Corporation

TOPICS

- insurance coverage
- summary judgment
- appellate procedure
- standard of review
- civil procedure

PRACTICE AREAS

- property insurance
- civil procedure
- appellate practice

QUESTIONS PRESENTED

1. Whether the circuit court properly entered summary judgment for Citizens on the property-insurance claim.
2. Whether a party may create a genuine issue for trial through an affidavit that baldly contradicts the party's prior deposition testimony.

HOLDINGS

1. The circuit court's judgment was properly affirmed.

KEY QUOTATIONS

“Under well-entrenched Florida precedent, ‘a party when met by a [m]otion for [s]ummary [j]udgment should not be permitted by his [or her] own affidavit, or by that of another, to baldly repudiate his [or her] previous deposition so as to create a jury issue.’” (at 2)

FACTUAL BACKGROUND

The opinion does not state the material facts specific to Morales in detail. Its cited authorities concern property-insurance claims arising from Hurricane Irma, delayed notice to Citizens, breach of a prompt-notice policy provision, and an attempt to create a jury issue by contradicting prior deposition testimony through affidavit.

PROCEDURAL HISTORY

Maria Morales appealed the circuit court's judgment. The Third District Court of Appeal affirmed in a brief per curiam opinion, relying on prior decisions concerning delayed notice of Hurricane Irma claims and the improper creation of a factual dispute through an affidavit that contradicts prior deposition testimony.

DISPOSITION

affirmed

CASES CITED

- Arce v. Citizens Prop. Ins. Corp., 388 So. 3d 205, 210 (Fla. 3d DCA 2024)
- Navarro v. Citizens Prop. Ins. Corp., 353 So. 3d 1276, 1280 (Fla. 3d DCA 2023)
- Williams v. Ryta Food Corp., 301 So. 3d 339, 341 (Fla. 3d DCA 2020)
- Ellison v. Anderson, 74 So. 2d 680, 681 (Fla. 1954)