

FLORIDA THIRD DISTRICT COURT OF APPEAL

Helen Teran v. Alexander Piloto

Teran · No. 3D24-0963 · Decided October 8, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed a final judgment entered for Alexander Piloto after an eight-day jury trial. The court held that the trial court did not abuse its discretion in denying a motion for a new trial based on closing-argument comments and that the jury’s verdict was supported by competent substantial evidence despite conflicting evidence.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Gordo, J.; Logue, J.; Lobree, J.
JURISDICTION	Florida Third District Court of Appeal
DECIDED	October 8, 2025
DOCKET	3D24-0963
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a final judgment entered for Alexander Piloto after an eight-day jury trial. The appellants challenged the denial of their motion for a new trial based on opposing counsel's closing-argument comments and argued that the jury's verdict was against the manifest weight of the evidence.
STANDARD OF REVIEW	The denial of a motion for new trial based on alleged improper closing argument is reviewed for abuse of discretion. A jury verdict is not against the manifest weight of the evidence when conflicting evidence exists and the verdict is supported by competent substantial evidence.
PRECEDENTIAL VALUE	Published opinion; precedential value under Florida law.
PARTIES	Helen Teran, et al. v. Alexander Piloto, et al.

TOPICS

- motion for new trial
- appellate procedure
- standard of review
- evidence
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by denying a motion for a new trial based on comments made by Piloto's counsel during closing argument.
2. Whether the jury's verdict was against the manifest weight of the evidence.

HOLDINGS

1. The trial court did not abuse its discretion in denying Teran's motion for a new trial based on the challenged closing-argument comments.
2. The verdict was not against the manifest weight of the evidence because the parties presented conflicting evidence and the verdict was supported by competent substantial evidence.

KEY QUOTATIONS

"After reviewing the closing argument being challenged, as well as the entire record in this case, we find that the trial judge did not abuse his discretion in denying the Plaintiffs' motion for new trial." (at 2)

"A jury verdict that is supported by substantial, competent evidence is not reversible on appeal. Where there is conflicting evidence, the jury's verdict should not be disturbed." (at 3)

"It is neither the trial judge's nor the appellate court's role to disturb that determination." (at 3)

FACTUAL BACKGROUND

The parties presented conflicting evidence during an eight-day jury trial. During closing argument, Piloto's counsel made comments that Teran contended warranted a new trial. The jury returned a verdict for Piloto, and the trial court denied Teran's motion for a new trial.

PROCEDURAL HISTORY

Following an eight-day jury trial in the Miami-Dade County Circuit Court, judgment was entered in favor of Piloto. The trial court denied Teran's motion for a new trial. Teran appealed, and the Third District Court of Appeal affirmed.

DISPOSITION

affirmed

CASES CITED

- *Murphy v. Int'l Robotic Sys., Inc.*, 766 So. 2d 1010, 1032 (Fla. 2000)
- *Olsen v. Philip Morris USA, Inc.*, 343 So. 3d 172, 173-74 (Fla. 3d DCA 2022)
- *Bowers v. Tillman*, 323 So. 3d 322, 327 (Fla. 5th DCA 2021)
- *Bachman v. Oliveros*, 293 So. 3d 555, 560 (Fla. 5th DCA 2020)

- *Lindon v. Dalton Hotel Corp.*, 113 So. 3d 985, 987 (Fla. 5th DCA 2013)
- *Caulkins Indiantown Citrus Co. v. Nevins Fruit Co., Inc.*, 831 So. 2d 727, 733 (Fla. 4th DCA 2002)
- *Cmty. Design Corp. v. Antonell*, 459 So. 2d 343, 346 (Fla. 3d DCA 1984)
- *Alvarez v. Acosta*, 324 So. 3d 1033, 1034 (Fla. 3d DCA 2021)
- *Rosario-Paredes v. J.C. Wrecker Serv.*, 975 So. 2d 1205, 1207 (Fla. 5th DCA 2008)

OPINION

Helen Teran v. Alexander Piloto

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed October 8, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-0963 Lower Tribunal No. 19-13322-CA-01 _____ Helen Teran, et al., Appellants, vs. Alexander Piloto, et al., Appellees. An Appeal from the Circuit Court for Miami-Dade County, Antonio Arzola, Judge. Morgan & Morgan, P.A., and R. Christopher Rodems (Orlando) and David L. Luck and Andres A. Hermida, for appellant. Wicker Smith O'Hara McCoy & Ford, P.A., and Jessica L. Gross and Nina N. Batista, for appellee Alexander Piloto. Before LOGUE, GORDO and LOBREE, JJ. GORDO, J. Helen Teran (“Teran”) appeals from a final judgment entered in favor of Alexander Piloto (“Piloto”) following an eight-day jury trial. We have jurisdiction. Fla. R. App. P. 9.030(b)(1)(A). Finding no merit in Teran’s arguments, we affirm. Teran argues the trial court abused its discretion in denying the motion for new trial based on comments made by Piloto’s counsel during closing arguments. Upon review of the record and the challenged closing arguments, we conclude the trial court did not abuse its discretion. See *Murphy v. Int’l Robotic Sys., Inc.*, 766 So. 2d 1010, 1032 (Fla. 2000) (“After reviewing the closing argument being challenged, as well as the entire record in this case, we find that the trial judge did not abuse his discretion in denying the Plaintiffs’ motion for new trial.”); *Olsen v. Philip Morris USA, Inc.*, 343 So. 3d 172, 173-74 (Fla. 3d DCA 2022) (“We have thoroughly reviewed the record . . . as well as the comments and arguments complained of by Olsen. In context, and considered with the entire record of the trial proceedings, we find no abuse of discretion in the trial court’s actions . . . in denying Olsen’s motions for . . . new trial. And as this Court has recognized, when analyzing whether a trial court abused its discretion in ruling on a motion for new trial, appellate courts traditionally defer to the superior vantage point enjoyed by the trial court.”); *Bowers v. Tillman*, 323 So. 3d 322, 327 (Fla. 5th DCA 2021) 2 (“[T]he trial judge is in the best position to determine the potential impact of improper conduct After thoroughly reviewing the record, we conclude that the trial court did not abuse its discretion in denying Bowers’ motion for new trial.”). Teran further argues a new trial is warranted because the jury’s verdict is against the manifest weight of the evidence. The record in this case clearly establishes that both parties presented conflicting evidence. We find the jury’s verdict is supported by competent substantial evidence. See *Bachman v. Oliveros*, 293 So. 3d 555, 560 (Fla. 5th DCA 2020) (“A jury’s verdict is generally not against

the manifest weight of the evidence if the record shows conflicting testimony from two or more witnesses.” (quoting *Lindon v. Dalton Hotel Corp.*, 113 So. 3d 985, 987 (Fla. 5th DCA 2013)); *Caulkins Indiantown Citrus Co. v. Nevins Fruit Co., Inc.*, 831 So. 2d 727, 733 (Fla. 4th DCA 2002) (“A jury verdict that is supported by substantial, competent evidence is not reversible on appeal. Where there is conflicting evidence, the jury’s verdict should not be disturbed.”); *Cnty. Design Corp. v. Antonell*, 459 So. 2d 343, 346 (Fla. 3d DCA 1984) (“We find substantial, competent evidence to support the jury’s verdict.”); *Alvarez v. Acosta*, 324 So. 3d 1033, 1034 (Fla. 3d DCA 2021) (“We cannot reweigh the evidence or determine that the verdict was against the manifest weight of the evidence. A trial court does not abuse its discretion by denying a new trial motion if there was conflicting evidence presented at trial and the jury’s verdict was the product of its weighing that evidence to resolve the conflicts.”); *Rosario-Paredes v. J.C. Wrecker Serv.*, 975 So. 2d 1205, 1207 (Fla. 5th DCA 2008) (“We conclude that the trial judge did not abuse his discretion in denying the motion for new trial. When the evidence is in conflict, as it was in this case, it is the function of the jury to weigh the evidence and resolve those conflicts. It is neither the trial judge’s nor the appellate court’s role to disturb that determination. Reversal of a jury verdict is appropriate only in the absence of conflicting evidence, when there is no rational basis in the evidence to support the verdict.”). Affirmed. 4