

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Boyle v. Carnival Corporation

Boyle · No. 25-cv-24465-BLOOM/Elfenbein · Decided February 17, 2026

SUMMARY

The United States District Court for the Southern District of Florida ruled on Carnival Corporation’s motion to dismiss Daniel Boyle’s amended maritime negligence complaint. The court dismissed the failure-to-maintain and failure-to-warn claims for insufficient notice allegations but allowed the negligent-design and distraction-induced visual-hazard claims to proceed, declining to dismiss the latter as redundant.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Beth Bloom
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	February 17, 2026
DOCKET	25-cv-24465-BLOOM/Elfenbein
DISPOSITION	other
PROCEDURAL POSTURE	Defendant moved under Federal Rule of Civil Procedure 12(b)(6) to dismiss the plaintiff's amended maritime negligence complaint.
STANDARD OF REVIEW	On a Rule 12(b)(6) motion, the court accepts well-pleaded factual allegations as true, draws plausible inferences in the plaintiff's favor, and determines whether the complaint contains sufficient factual matter to state a plausible claim for relief. Labels, conclusions, and a formulaic recitation of the elements are insufficient.
PRECEDENTIAL VALUE	unpublished district court order; persuasive value only

TOPICS

- motions to dismiss
- admiralty
- negligence
- duty of care
- civil procedure

PRACTICE AREAS

- admiralty
- maritime torts
- civil procedure

QUESTIONS PRESENTED

1. Whether Boyle adequately pleaded actual or constructive notice of the dangerous condition for his failure-to-maintain and failure-to-warn claims.
2. Whether Boyle adequately pleaded notice for his negligent-design claim and his negligent-creation-of-a-distracted-visual-hazard claim.
3. Whether the negligent-creation claim in Count IV was subject to dismissal as redundant of the negligent-design claim in Count III under Rule 12(b)(6).

HOLDINGS

1. The allegations of actual and constructive notice were insufficient to plausibly establish that Carnival knew or should have known of the specific dangerous condition. Counts I and II were therefore dismissed.
2. Boyle adequately pleaded notice for the negligent-design claim by alleging that Carnival was directly involved in and had final approval over the design, layout, and materials of the atrium staircase, flooring, and lighting. Count III was not dismissed for lack of notice.
3. Boyle adequately pleaded notice for Count IV because he alleged that Carnival intentionally designed the atrium and created the dangerous interaction between the distracting atrium, the staircase, and inadequate visual cues. The court treated Count IV as sufficiently analogous to negligent design for purposes of notice.
4. Redundancy alone is not an adequate basis for dismissal under Rule 12(b)(6) where the allegedly redundant claim is otherwise valid and the defendant will not suffer undue prejudice. Carnival's motion to dismiss Count IV as redundant was denied.

KEY QUOTATIONS

“A cruise ship operator’s duty is to shield passengers from known dangers (and from dangers that should be known), whether by eliminating the risk or warning of it.” (Section III.A)

“To be sure, mere redundancy is not grounds for dismissal under Rule 12(b) (6) for failure to state a claim.” (Section III.B)

FACTUAL BACKGROUND

Boyle alleged that he fell on a two-step descent aboard Carnival Panorama while walking near a multi-story atrium on Deck 5. He claimed that the atrium distracted passengers and that similar flooring, inadequate lighting, and the absence of a railing created optical camouflage that concealed the change in elevation. He alleged that Carnival had actual notice based on crew members' presence and prior near-misses or stumbles, and constructive notice based on Carnival's involvement in the vessel's design and alleged violations of industry safety standards.

PROCEDURAL HISTORY

Daniel Boyle filed an amended complaint against Carnival Corporation asserting four maritime negligence counts: failure to maintain reasonably safe premises, failure to warn, negligent design or approval of design, and

negligent creation of a distraction-induced visual hazard. Carnival moved to dismiss all counts, arguing that Boyle had not adequately pleaded actual or constructive notice and that Count IV was redundant. The court dismissed Counts I and II but denied dismissal of Counts III and IV, allowing those claims to proceed.

DISPOSITION

other

CASES CITED

- Bell Atl. Corp. v. Twombly, 550 U.S. 544, 555, 557 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Chaparro v. Carnival Corp., 693 F.3d 1333, 1336-37 (11th Cir. 2012)
- Miccosukee Tribe of Indians of Fla. v. S. Everglades Restoration Alliance, 304 F.3d 1076, 1084 (11th Cir. 2002)
- AXA Equitable Life Ins. Co. v. Infinity Fin. Grp., LLC, 608 F. Supp. 2d 1349, 1353 (S.D. Fla. 2009)
- Keefe v. Bahama Cruise Line, Inc., 867 F.2d 1318, 1320, 1322 (11th Cir. 1989)
- Kermarec v. Compagnie Generale Transatlantique, 358 U.S. 625, 628 (1959)
- Everett v. Carnival Cruise Lines, 912 F.2d 1355, 1358 (11th Cir. 1990)
- Smolnikar v. Royal Caribbean Cruises, Ltd., 787 F. Supp. 2d 1308, 1315 (S.D. Fla. 2011)
- Daigle v. Point Landing, Inc., 616 F.2d 825, 827 (5th Cir. 1980)
- Guevara v. NCL (Bah.) Ltd., 920 F.3d 710, 720 (11th Cir. 2019)
- Tesoriero v. Carnival Corp., 965 F.3d 1170, 1178 (11th Cir. 2020)
- Horne v. Carnival Corp., 741 F. App'x 607, 608 (11th Cir. 2018)
- Yusko v. NCL (Bah.) Ltd., 4 F.4th 1164, 1167 (11th Cir. 2021)
- Holland v. Carnival Corp., 50 F.4th 1088, 1095-96 (11th Cir. 2022)
- Hernandez v. Carnival Corp., No. 25-CV-22122, 2025 WL 3205847, at *5 (S.D. Fla. Nov. 17, 2025)
- Donaldson v. Carnival Corp., No. 20-23258-CIV, 2020 WL 6801883, at *3-4 (S.D. Fla. Nov. 19, 2020)
- Francis v. MSC Cruises, S.A., No. 21-12513, 2022 WL 4393188, at *3 (11th Cir. Sept. 23, 2022)
- Andersen v. Royal Caribbean Cruises Ltd., No. 19-CV-24639, 2021 WL 2414151, at *9 (S.D. Fla. June 14, 2021)
- Bunch v. Carnival Corp., 825 F. App'x 713, 715-16 (11th Cir. 2020)
- Holley v. Carnival Corp., No. 1:20-CV-20495, 2021 WL 5371507, at *7 (S.D. Fla. Nov. 18, 2021)
- Haddad v. Celebrity Cruises Inc., No. 1:25-CV-20330-KMM, 2025 WL 3145895, at *3 (S.D. Fla. Oct. 31, 2025)
- Navarro v. Carnival Corp., No. 19-cv-21072, 2020 WL 1307185, at *3 (S.D. Fla. Mar. 19, 2020)
- Groves v. Royal Caribbean Cruises, Ltd., 463 F. App'x 837, 837 (11th Cir. 2012)
- Castillo v. NCL Bahamas Ltd., No. 1:17-CV-23545, 2018 WL 1796260, at *4 (S.D. Fla. Jan. 5, 2018)
- Iacoli v. MSC Cruises, S.A., No. 24-CV-20082, 2024 WL 3509584, at *7 (S.D. Fla. July 23, 2024)

- *Michael v. Wal-Mart Stores E., LP*, No. 6:14-cv-579-Orl-40DAB, 2014 WL 5502442, at *2 (M.D. Fla. Oct. 30, 2014)
- *Regions Bank v. Commonwealth Land Title Ins. Co.*, No. 11-23257-CIV, 2012 WL 5410609, at *4-5 (S.D. Fla. Nov. 6, 2012)
- *Kenneth F. Hackett & Assocs., Inc. v. GE Cap. Info. Tech. Solutions, Inc.*, 744 F. Supp. 2d 1305, 1310 (S.D. Fla. 2010)
- *New Mkt. Realty 1L LLC v. Great Lakes Ins. SE*, 341 F.R.D. 322, 327 (M.D. Fla. 2022)

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