

FLORIDA THIRD DISTRICT COURT OF APPEAL

Gary Leman v. Orit Tal

Leman · No. 3D24-2238 · Decided December 31, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed the county court's judgment in an appeal concerning the preservation of a challenge to the trial court's failure to make required factual findings and an attorney-fee award. The court held that the issues were not preserved through a timely motion for rehearing and cited the competent, substantial evidence standard for reviewing attorney-fee awards.

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed December 31, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-2238 Lower Tribunal No. 22-31850-SP-05 _____ Gary Leman, et al., Appellants, vs. Orit Tal, Appellee. An Appeal from the County Court for Miami-Dade County, Diana Gonzalez-Whyte, Judge.

Solnick Law P.A., and Peter J. Solnick, for appellants. The Scharf Appellate Group, and Erik W. Scharf, for appellee. Before FERNANDEZ, MILLER and GOODEN, JJ. PER CURIAM. Affirmed. See Fla. R. Civ. P. 1.530(a) ("To preserve for appeal a challenge to the failure of the trial court to make required findings of fact in the final judgment, a party must raise that issue in a motion for rehearing under this rule."); *Schneider v. Tirikian*, 397 So.

3d 1070, 1074 (Fla. 3d DCA 2024) ("The key to preservation is whether the trial court had an opportunity to correct the purported error."); *Forte v. All Cnty. Towing Inc.*, 336 So. 3d 316, 319 (Fla. 4th DCA 2022) ("An award of attorney's fees will be upheld on appeal so long as it is supported by competent, substantial evidence."). 2