

DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT

Maria Teresa Costantini Gomes v. Victor Maniglia

No. 3D24-1551 · No. 3D24-1551 · Decided April 30, 2025

SUMMARY

The Third District Court of Appeal of Florida affirmed a non-final order in a dispute involving personal jurisdiction over a Florida resident and a claimed homestead exemption. The court relied on Florida constitutional and statutory homestead provisions and authorities concerning residency, jurisdiction, voter registration, and driver’s licenses.

CASE DETAILS

COURT	District Court of Appeal of Florida, Third District
WRITING FOR THE COURT	MILLER; GORDO; BOKOR
JURISDICTION	Florida Third District Court of Appeal
DECIDED	April 30, 2025
DOCKET	3D24-1551
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a non-final order of the Circuit Court for Miami-Dade County.
PRECEDENTIAL VALUE	Published
PARTIES	Maria Teresa Costantini Gomes v. Victor Maniglia

TOPICS

- personal jurisdiction
- appellate procedure
- real estate
- constitutional law
- tax

PRACTICE AREAS

- civil procedure
- appellate procedure
- real estate
- tax

QUESTIONS PRESENTED

- Whether the circuit court had jurisdiction over a Florida resident regardless of the county of residence.
- Whether the circumstances cited in the record supported application of Florida homestead-related constitutional and statutory provisions.

HOLDINGS

1. The Third District affirmed the non-final order.

KEY QUOTATIONS

“As to residents of Florida, the Circuit Courts have jurisdiction over them regardless of the county in which they reside and when reached by summons, they become subject to the orders and decrees of the Court.” (2)

“A person who, on January 1, has the legal title or beneficial title in equity to real property in this state and who in good faith makes the property his or her permanent residence . . . is entitled to a[] [homestead] exemption” (2)

FACTUAL BACKGROUND

The opinion contains no detailed factual recitation. The cited authorities concern Florida residency, personal jurisdiction over Florida residents, and eligibility for a Florida homestead exemption based on ownership, permanent residence, voter registration, and a Florida driver's license.

PROCEDURAL HISTORY

Maria Teresa Costantini Gomes appealed a non-final order entered by the Circuit Court for Miami-Dade County. The Third District Court of Appeal affirmed the order in a per curiam opinion.

DISPOSITION

affirmed

CASES CITED

- Patten v. Mokher, 184 So. 29, 30 (Fla. 1938)
- Snyder v. McLeod, 971 So. 2d 166, 169 (Fla. 5th DCA 2007)

OPINION

Maria Teresa Costantini Gomes v. Victor Maniglia

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed April 30, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-1551 Lower Tribunal No. 20-17447-CA-01 _____ Maria Teresa Costantini Gomes, Appellant, vs. Victor Maniglia, Appellee. An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Reemberto Diaz, Judge. The Hink Law Firm, P.A., and Ronald R. Hink, for appellant. J. Muir & Associates, P.A., and Jane W. Muir, for appellee. Before MILLER, GORDO, and BOKOR, JJ. PER CURIAM. Affirmed. See Patten v. Mokher, 184 So. 29, 30 (Fla. 1938) (“As to residents of Florida, the Circuit Courts have jurisdiction over them regardless of the county in which they reside and when reached by summons, they become subject to the orders and decrees

of the Court.”); Art. VII, § 6(a), Fla. Const. (“Every person who has the legal or equitable title to real estate and maintains thereon the permanent residence of the owner, or another legally or naturally dependent upon the owner, shall be exempt from taxation thereon”); § 196.015(5), (6), Fla. Stat. (2018) (defining factors property appraiser considers in determining homestead claim, including voter registration and valid Florida driver license); § 196.031(1)(a), Fla. Stat. (2018) (“A person who, on January 1, has the legal title or beneficial title in equity to real property in this state and who in good faith makes the property his or her permanent residence . . . is entitled to a[] [homestead] exemption”); *Snyder v. McLeod*, 971 So. 2d 166, 169 (Fla. 5th DCA 2007) (noting permanent Florida residents are subject to personal jurisdiction, defining residency elements, and noting driver’s licenses and voter registration are permissible for demonstrating residency). 2