

FLORIDA THIRD DISTRICT COURT OF APPEAL

Anna Val v. Gentera Center for Plastic Surgery, LLC, et al.

No. 3D24-1282 · No. 3D24-1282 · Decided September 24, 2025

SUMMARY

The Florida Third District Court of Appeal affirmed the county court’s decision in an appeal involving an award of attorney’s fees under section 57.105, Florida Statutes. Relying on the absence of transcripts of the relevant attorney’s-fee hearings, the court presumed the trial court’s findings correct.

CASE DETAILS

COURT	Florida Third District Court of Appeal
WRITING FOR THE COURT	Miller; Lobree; Gooden
JURISDICTION	Florida Third District Court of Appeal
DECIDED	September 24, 2025
DOCKET	3D24-1282
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a County Court order involving an award of attorney's fees under section 57.105, Florida Statutes.
STANDARD OF REVIEW	Abuse of discretion review applies to an award of attorney's fees under section 57.105; absent a transcript of the relevant hearings, the trial court's findings are presumed correct.
PRECEDENTIAL VALUE	Published
PARTIES	Anna Val v. Gentera Center for Plastic Surgery, LLC, et al.

TOPICS

- attorney fees
- appellate procedure
- standard of review
- appellate jurisdiction
- civil procedure

PRACTICE AREAS

- appellate procedure
- attorney fees
- civil procedure

QUESTIONS PRESENTED

- Whether the trial court abused its discretion in awarding attorney's fees under section 57.105 when the appellant failed to provide transcripts of the relevant attorney's-fee hearings.

HOLDINGS

1. The attorney's-fees award was affirmed because the appellant did not provide transcripts of the relevant hearings, requiring the appellate court to presume that the trial court's findings were correct.

KEY QUOTATIONS

"We are constrained by the record before us. [Appellant] has not provided a transcript of any of the [attorney's fees] hearings conducted in the trial court, and thus the trial court's findings must be presumed correct." (2)

FACTUAL BACKGROUND

The appeal concerned an award of attorney's fees under section 57.105, Florida Statutes. The appellant did not provide a transcript of the attorney's-fees hearings conducted in the trial court. Because the appellate record did not include those transcripts, the court presumed the trial court's findings correct and affirmed.

PROCEDURAL HISTORY

Anna Val appealed from proceedings in the County Court for Miami-Dade County. The Third District Court of Appeal affirmed, relying on the absence of a transcript of the attorney's-fees hearings and the resulting presumption that the trial court's findings were correct.

DISPOSITION

affirmed

CASES CITED

- Law Offs. of Borell, P.A. v. Acevedo, 322 So. 3d 1218, 1219 (Fla. 3d DCA 2021)
- Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979)
- Lanson v. Reid, 314 So. 3d 385, 388 n.4 (Fla. 3d DCA 2020)

OPINION

PER CURIAM.

Third District Court of Appeal State of Florida Opinion filed September 24, 2025. Not final until disposition of timely filed motion for rehearing. _____ No. 3D24-1282 Lower Tribunal No. 20-17-SP-05 _____ Anna Val, Appellant, vs. Gentera Center for Plastic Surgery, LLC, et al., Appellees. An Appeal from the County Court for Miami-Dade County, Jeffrey Rosinek, Senior Judge.

Anna Val, in proper person. Ainsworth + Clancy, PLLC, and Yamila Lorenzo and Ryan Clancy, for appellees. Before MILLER, LOBREE and GOODEN, JJ. PER CURIAM. Affirmed. See Law Offs. of Borell, P.A. v. Acevedo, 322 So. 3d 1218, 1219 (Fla. 3d DCA 2021) (finding no abuse of

discretion in award of attorney's fees under section 57.105; "We are constrained by the record before us.

[Appellant] has not provided a transcript of any of the [attorney's fees] hearings conducted in the trial court, and thus the trial court's findings must be presumed correct." (citing Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979)); Lanson v. Reid, 314 So. 3d 385, 388 n.4 (Fla. 3d DCA 2020) (stating that where appellants did not provide this court with transcript of hearing on entitlement to attorney's fees under section 57.105, "the trial court's findings must be presumed correct").