

FIRST DISTRICT COURT OF APPEAL OF FLORIDA

Shayonne Peterson v. Florida Department of Children and Families

No. 1D2024-1568 (Fla. 1st DCA Sept. 24, 2025) · No. 1D2024-1568 · Decided September 24, 2025

SUMMARY

The Florida First District Court of Appeal held that it lacked statutory appellate jurisdiction to directly review a Department of Children and Families hearing officer’s order dismissing an administrative appeal as untimely in a Supplemental Nutrition Assistance Program overpayment matter. The court treated the appeal as a petition for writ of certiorari and transferred it to the Circuit Court of the Second Judicial Circuit.

CASE DETAILS

COURT	First District Court of Appeal of Florida
WRITING FOR THE COURT	Per Curiam; Lewis, J.; Winokur, J.; Tanenbaum, J.
JURISDICTION	Florida First District Court of Appeal
DECIDED	September 24, 2025
DOCKET	1D2024-1568
DISPOSITION	other
PROCEDURAL POSTURE	Direct appeal from a Department of Children and Families hearing officer's order dismissing an administrative appeal as untimely.
PRECEDENTIAL VALUE	Published and precedential under the supplied metadata
PARTIES	Shayonne Peterson v. Florida Department of Children and Families

TOPICS

- appellate jurisdiction
- writ of certiorari
- judicial review of agency action
- appellate procedure

PRACTICE AREAS

- administrative law
- appellate procedure
- public benefits

QUESTIONS PRESENTED

- Whether the First District Court of Appeal had statutory authority to directly review a Department of Children and Families hearing officer's order issued in connection with a federal benefits program.

2. Whether the appeal should be treated as a petition for writ of certiorari and transferred to the circuit court for first-tier review.

HOLDINGS

1. The First District Court of Appeal lacked appellate jurisdiction because no statute authorized direct review of the hearing officer's order issued in connection with the federal Supplemental Nutrition Assistance Program.
2. The court treated the appeal as a petition for writ of certiorari and transferred it to the Circuit Court of the Second Judicial Circuit for first-tier review.

KEY QUOTATIONS

“There is no statutory authorization for our direct review of the hearing officer’s order issued in connection with this federal program, so we lack appellate jurisdiction in this case.”

“We in turn treat this appeal as a petition for writ of certiorari and transfer the case to the Circuit Court of the Second Judicial Circuit.”

FACTUAL BACKGROUND

The Department issued a written notification of case action concerning an overpayment of Supplemental Nutrition Assistance Program benefits. Shayonne Peterson filed an administrative appeal challenging that action, but the Department's hearing officer dismissed the appeal as untimely because it was filed more than ninety days after the notification. Peterson sought review in the First District Court of Appeal.

PROCEDURAL HISTORY

A Department of Children and Families hearing officer dismissed Peterson's administrative appeal as untimely because it was filed beyond the Department's ninety-day period for challenging a written notification of case action concerning an overpayment of Supplemental Nutrition Assistance Program benefits. Peterson appealed to the First District Court of Appeal. The district court concluded that it lacked statutory authorization for direct review, treated the appeal as a petition for writ of certiorari, and transferred the matter to the Circuit Court of the Second Judicial Circuit.

DISPOSITION

other

REMAND INSTRUCTIONS

The case is transferred to the Circuit Court of the Second Judicial Circuit for first-tier review by certiorari.

CASES CITED

- *Ninja Acad., Inc. v. Fla. Dep’t of Agric. & Consumer Servs., Div. of Food, Nutrition, & Wellness*, No. 1D2022-1139, 2025 WL 2233403 (Fla. 1st DCA Aug. 6, 2025)

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