Supreme Court of Florida

WEDNESDAY, DECEMBER 19, 2018

CASE NO.: SC18-531
Lower Tribunal No(s).:
3D17-671; 442016CA000704A001PK

VALENTIN SPATARU vs. RICK RAMSAY, ETC.

Petitioner(s) Respondent(s)

This cause having heretofore been submitted to the Court on jurisdictional briefs and portions of the record deemed necessary to reflect jurisdiction under Article V, Section 3(b), Florida Constitution, and the Court having determined that it should decline to accept jurisdiction, it is ordered that the petition for review is denied.

No motion for rehearing will be entertained by the Court. *See* Fla. R. App. P. 9.330(d)(2).

CANADY, C.J., and PARIENTE, QUINCE, LABARGA, and LAWSON, JJ., concur.

A True Copy
Test:

John A. Tomasino
Clerk, Supreme Court

lc
Served:

GREGORY J. JOLLY
VALENTIN SPATARU
HON. LUIS MANUEL GARCIA, JUDGE
HON. MARY CAY BLANKS, CLERK
HON. KEVIN MADOK, CLERK

Appendix B - The 3rd District Court of Appeal of Florida (3DCA) filed its opinion on March 7, 2018

Valentin SPATARU, Appellant,

v.

Rick RAMSAY, etc., Appellee.

No. 3D17-671.

[Lower Tribunal No. 16-704-P]

District Court of Appeal of Florida, Third District.

Opinion filed March 7, 2018.

An Appeal from the Circuit Court for Monroe County, Lower Tribunal No. 16-704-P, Luis M. Garcia, Judge.

Valentin Spataru, in proper person.

Purdy, Jolly, Giuffreda & Barranco, P.A., and Gregory J. Jolly (Fort Lauderdale), for appellee.

Before LAGOA, EMAS and LOGUE, JJ.

PER CURIAM.

Affirmed. See Santa Rosa Cty. v. Administration Com'n, Div. of Admin. Hearings, 661 So.2d 1190, 1193 (Fla. 1995) (observing that "Florida courts will not render, in the form of a declaratory judgment, what amounts to an advisory opinion at the instance of parties who show merely the *possibility* of legal injury on the basis of a hypothetical `state of facts which have not arisen' and are only `contingent, uncertain, [and] rest in the future.'" (quoting LaBella v. Food Fair, Inc., 406 So.2d 1216, 1217 (Fla. 3d DCA 764*764 1981)) (additional citations omitted))); Behm v. Campbell, 925 So.2d 1070 (Fla. 5th

DCA 2006)(holding that defendant's plea of no contest, accompanied by a withhold of adjudication of guilt, nevertheless established probable cause for the defendant's arrest and precluded a collateral challenge of the legality of that arrest by way of a civil suit for false arrest).

Appendix C - CC dismissed my claim