

APPENDIX A

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D2023-1765

LORI M. MOODY,

Appellant,

v.

EDWARD W. HORAN,

Appellee.

On appeal from the Circuit Court for Leon County.
James Lee Marsh, Judge.

May 24, 2024

PER CURIAM.

AFFIRMED.

LEWIS, ROWE, and M.K. THOMAS, JJ., concur.

*Not final until disposition of any timely and
authorized motion under Fla. R. App. P. 9.330 or
9.331.*

Lori M. Moody, pro se, Appellant.

Edward Warren Horan, pro se, Appellee.

MOODY v. HORAN (2024)

District Court of Appeal of Florida, First District.

Lori M. MOODY, Appellant, v. Edward W. HORAN, Appellee.

No. 1D2023-1765

Decided: May 24, 2024

Lori M. Moody, pro se, Appellant. Edward Warren Horan, pro se, Appellee.

Affirmed.

Per Curiam.

Lewis, Rowe, and M.K. Thomas, JJ., concur.

APPENDIX B

20230031589 ELECTRONICALLY RECORDED IN THE PUBLIC RECORDS OF LEON COUNTY, FL
BK: 5857 PG: 453 06/13/2023 at 01:49 PM GWEN MARSHALL, CLERK OF COURTS

Filing # 175115390 E-Filed 06/12/2023 02:10:59 PM

IN THE CIRCUIT COURT OF THE SECOND JUDICIAL CIRCUIT
IN AND FOR LEON COUNTY, FLORIDA

LORI M. MOODY,
Plaintiff,

v.

Case No. 2022 CA 2183

EDWARD W. HORAN,
Defendant.

ORDER DISMISSING CASE WITH PREJUDICE

This matter came before the Court by Zoom Video Hearing on June 6, 2023, upon the Defendant, Edward W. Horan's Motion for Dismissal with Prejudice of Plaintiff, Lori Moody's Initial Complaint for Defamation. Plaintiff and Defendant were present. Following this Court's review of the pleadings filed in this case, review of the case law provided by the parties, and after hearing argument of both parties, the Court finds as follows:

1. Looking only to the allegations within the four corners of the Initial Complaint, it is clear to the Court that the allegedly defamatory statements in question was made/filed in the course of a judicial proceeding, namely an appeal before the First District Court of Appeal;

2. The statements complained of also had some relation to the proceeding in which they were filed. The Plaintiff is the current wife of Andrew Moody and Mr. Horan, in his professional capacity, represented Andrew Moody's former wife in the aforementioned appeal. Mr. Moody was signing his pleadings in the appeal as a Pro Se litigant, though the statements in question alleged that Mr. Moody's wife, who had graduated from law school, but not admitted to practice law, was actually preparing Mr. Moody's pleadings in the appeal. The Court finds that Mr. Horan's allegedly defamatory statements were attempting to inform the appellate court that, it was his belief that, Mr. Moody was not preparing the pleadings on his own behalf but was filing pleadings that were prepared in whole or part by the Plaintiff, who had attended law school. Mr. Moody, while not having any legal training himself, was being assisted by someone who had such legal training, meaning that Mr. Moody's representations concerning his unfamiliarity with Court procedures and being "a mere teacher" reflected a lack of candor with

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the appellate court. The statements made in the appeal, whether true or not, had some relation to the appeal.

3. The Plaintiff argues that absolute immunity would not apply in this case because she was not a party to the appeal in which the allegedly defamatory statements were made. In this regard, she is wrong. The absolute immunity defense in a judicial proceeding was established to protect the declarant, not a person to whom the statement referred. This case is similar to that of James v. Leigh, 145 So.3d 1006 (Fla. 1st DCA 2014), in which a defamation claim filed by the attorney's former law partner/law firm regarding defamatory statements filed in the attorney's divorce case was held to be absolutely immune from the defamation action filed by the former law partner/law firm. The former law partner/firm was not a party in the attorney's divorce action.

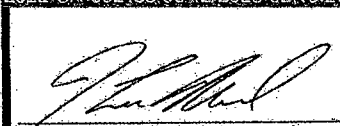
Based on the forgoing, it is hereby

ORDERED AND ADJUDGED

1. Plaintiff, Lori M. Moody's Initial Complaint Defamation against Defendant Edward W. Horan is Dismissed with Prejudice.

2. This Court retains jurisdiction to address the Defendant's Amended Motion for Sanctions (filed 05/16/2023).

DONE AND ORDERED in Chambers at Tallahassee, Leon County, Florida on Monday, June 12, 2023.

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Lee Marsh, Circuit Judge
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Copies to:

Edward W. Horan, Esq. (ehoran@ewhoranlaw.com)
Lori M. Moody (lori_patitz@yahoo.com)

APPENDIX C

DISTRICT COURT OF APPEAL, FIRST DISTRICT
2000 Drayton Drive,
Tallahassee, Florida 32399-0950
Telephone No. (850) 488-6151

July 2, 2024

Lori M. Moody,
Appellant(s)

Case 1D2023-1765
L.T. No.: 2022 CA2183

v.

Edward W. Horan,
Appellee(s).

BY ORDER OF THE COURT:

The Court denies the motion for rehearing, rehearing en banc, and/or written opinion docketed June 10, 2024.

I HEREBY CERTIFY that the foregoing is a true copy of the original court order.

Served:

Edward Warren Horan
Edward Warren Horan
Hon. James Lee Marsh
Lori M. Moody

TH

~~1D2023-1765~~ July 2, 2024
Kristina Samuels, Clerk
1D2023-1765 July 2, 2024

