

**DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
SECOND DISTRICT**

525 Mirror Lake Drive N., St. Petersburg FL 33701

June 4, 2026

RUI WAN,

PETITIONER(S),

V.

STATE OF FLORIDA,

RESPONDENT(S).

CASE NO.: 2D2026-1141

L.T. No.: 2025-AP-000270

BY ORDER OF THE COURT:

Petitioner's petition for writ of certiorari is dismissed for Petitioner's failure to comply with this court's order of May 8, 2026.

VILLANTI, LaROSE, and GUARD, JJ., Concur.

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

Mary Elizabeth Kuenzel
Mary Elizabeth Kuenzel, Clerk
2D2026-1141 6/4/26



DC

Served:
CRIM APP TAMPA ATTORNEY GENERAL
MANATEE CLERK
RUI WAN

Appendix C

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Filing # 245098466 E-Filed 04/01/2026 03:18:45 PM

IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN AND FOR MANATEE COUNTY, FLORIDA

RUI WAN,

Appellant,

v.

APPEAL CASE NO.: 2025-AP-000270

LOWER CASE NO.: 2025-TR-028221

STATE OF FLORIDA,

Respondent.

ORDER DISMISSING TRAFFIC APPEAL

THIS CAUSE is before the Court on its own motion. Appellant, Rui Wan, initiated this appeal by filing a Notice of Appeal on November 3, 2025, along with a copy of the traffic court judgment and sentence purportedly designated in the Notice. The Court has reviewed the Notice, the court file, and applicable law, and is otherwise fully advised.

To date, no appellate record has been made available. By Order rendered January 9, 2026, this Court relinquished jurisdiction for thirty (30) days "so that Appellant may either secure a certified transcript or, if necessary, present a proposed statement of the proceedings to the lower tribunal for settlement and approval" in accordance with Fla. R. App. P. 9.200(b)(5). The Court cannot properly review the propriety of the lower tribunal's action without a complete record, including either a transcript or a settled and approved statement of evidence of the proceedings below.

On January 27, 2026, and February 5, 2026, respectively, Appellant filed multiple and varied statements and correspondences, which may have been an attempt to prepare a statement of evidence or proceedings. However, none of these filings were accompanied by a certificate of service and there is no indication that Appellant "served [them] on all other parties," as required by Rule 9.200(b)(5). Further, none of Appellant's construed "statements" are properly sworn as required by Administrative Order No. 2001-19.6. Moreover, Appellant's statements are primarily argument rather than a factual outline of what transpired during the October 8, 2025 hearing below. Based on the foregoing, the court finds that Appellant has failed to follow required procedures, and that his construed proposed statements of evidence or proceedings fail to satisfy the "settled and approved" statement contemplated in Fla. R. App. P. 9.200(b)(5).

Pursuant to paragraph six of Administrative Order No. 2001-19.6, "If the lower tribunal is unable to approve a final appellate statement, ... [t]his Court would then have to dismiss the appeal for lack of a reviewable record. Fla. R. Traf. Ct. 6.630[(d)]; § 318.33, Fla. Stat. (2001)." As noted in the prior January 9, 2026 Order, the Court cannot properly review the propriety of the lower tribunal's action without a complete record of the proceedings—including a transcript or settled and approved statement of evidence. *See, e.g., DiPietro v. Coletta*, 512 So. 2d 1048, 1050 (Fla. 3d DCA 1987); *see also Pearce v. Pearce*, 773 So. 2d 1286 (Fla. 5th DCA 2000) (indicating that the appellate court must affirm the trial court "absent a transcript or a stipulation of facts"); *Applegate v. Barnett Bank of Tallahassee*, 377 So. 2d 1150, 1152 (Fla. 1979) ("The trial court should have been affirmed because the record brought forward by the appellant is inadequate to demonstrate reversible error.").

Accordingly, as Appellant has presented both a procedurally and facially deficient appeal, it is, hereby, **ORDERED** that the appeal in the above-styled case is **DISMISSED**.

DONE AND ORDERED at Bradenton, Manatee County, Florida.

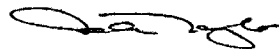


eSigned by CHARLES SNIFFEN, Circuit Judge 04/01/2026 13:36:58 4Bx45Bgv

Charles Sniffen, Circuit Court Judge

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Order has been furnished by U.S. Mail, electronic mail, or hand-delivery to: **Rui Wan**, 220 47th Street NW, Bradenton, FL 34209, wanrui2098@gmail.com; and the **Office of the State Attorney**, 1112 Manatee Avenue, Bradenton, Florida 34205, saorounds@sao12.org, on this ____ day of April 2026, or as otherwise dated by electronic signature.



By: _____

eSigned by Ruth Taylor 04/01/2026 15:17:16 hSb135-S

Judicial Assistant

**Additional material
from this filing is
available in the
Clerk's Office.**