

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA  
FIFTH DISTRICT

NOT FINAL UNTIL TIME EXPIRES TO  
FILE MOTION FOR REHEARING AND  
DISPOSITION THEREOF IF FILED

RICHARD B. GREEN AND RAYMOND M. GREEN,

Appellants,

v.

Case No. 5D22-430  
LT Case No. 2017-CP-001518

MARGARET GREEN, INDIVIDUALLY AND  
AS PERSONAL REPRESENTATIVE OF THE  
ESTATE OF QUENTIN L. GREEN,

Appellee.

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Opinion filed October 28, 2022

Appeal from the Circuit Court  
for Seminole County,  
Donna Goerner, Judge.

T. Todd Pittenger and Kelly J. H.  
Garcia, of GrayRobinson, P.A.,  
Orlando, for Appellants.

Meredith Pitts Smith, of Copeland  
Covert & Smith PLLC, Altamonte  
Springs, for Appellee.

PER CURIAM.

Richard and Raymond Green (“Appellants”) appeal the trial court’s  
order granting partial summary judgment in favor of Margaret Green,

individually and as personal representative of the estate of Quentin Green (“Appellee”). We agree with Appellants that the trial court violated their due process rights and proper procedure by ruling on an issue not raised in Appellee’s motion for partial summary judgment. Accordingly, we reverse and remand to the trial court with instructions to vacate the order.<sup>1</sup>

REVERSED AND REMANDED.

EVANDER, COHEN and TRAVER, JJ., concur.

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<sup>1</sup> We offer no opinion as to the merits of the trial court’s ruling.