

Third District Court of Appeal

State of Florida

Opinion filed March 7, 2018.
Not final until disposition of timely filed motion for rehearing.

No. 3D17-671
Lower Tribunal No. 16-704-P

Valentin Spataru,
Appellant,

vs.

Rick Ramsay, etc.,
Appellee.

An Appeal from the Circuit Court for Monroe County, 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 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).