

Third District Court of Appeal

State of Florida

Opinion filed November 20, 2019.
Not final until disposition of timely filed motion for rehearing.

No. 3D19-0385
Lower Tribunal No. 18-16626

Felix M. Caceres, II,
Appellant,

vs.

Merco Group of the Palm Beaches Inc., et al.,
Appellees.

An appeal from a non-final order the Circuit Court for Miami-Dade County, Beatrice Butchko, Judge.

Clayton R. Kaeiser, P.A., and Clayton R. Kaeiser, for appellant.

Sundarsingh Law, P.L., and Mandell Sundarsingh (Palm Beach Gardens), for appellees.

Before SALTER, SCALES, and MILLER, JJ.

PER CURIAM.

As “[t]he decision to transfer venue based upon [forum non conveniens] is ‘one within the sound discretion of the trial court,’” Fla. Patient’s Comp. Fund v.

Fla. Physician’s Ins. Reciprocal, 507 So. 2d 778, 779 (Fla. 3d DCA 1987) (citation omitted), and appellant has failed to demonstrate “the judicial action [was] arbitrary, fanciful, or unreasonable . . . [or that] no reasonable man [or woman] would take the view adopted by the trial court,” we affirm. Canakaris v. Canakaris, 382 So. 2d 1197, 1203 (Fla. 1980) (citation omitted); see § 47.122, Fla. Stat. (2019) (“For the convenience of the parties or witnesses or in the interest of justice, any court of record may transfer **any civil action** to any other court of record in which it might have been brought.”) (emphasis added); E.I. DuPont De Nemours & Co. v. Fuzzell, 681 So. 2d 1195, 1197 (Fla. 2d DCA 1996) (granting change of venue to Lake County as it was the location of the majority of witnesses and the site of all alleged contact; noting that “in the interest of justice” Polk County should not hear a case where the only connection was the location of the lawyer’s office).

Affirmed.