

Third District Court of Appeal

State of Florida

Opinion filed August 25, 2021.
Not final until disposition of timely filed motion for rehearing.

No. 3D20-1610
Lower Tribunal No. 18-2612

Pierre Michel Smith,
Appellant,

vs.

Lydie Ladouceur Smith,
Appellee.

An Appeal from the Circuit Court for Miami-Dade County, Ivonne Cuesta, Judge.

Wasson & Associates, Chartered, and Annabel C. Majewski, for appellant.

Kaplan Loebel, LLC, and Liliana Loebel and Amanda B. Haberman, for appellee.

Before EMAS, LINDSEY and GORDO, JJ.

PER CURIAM.

Affirmed. See Brown v. Estate of Stuckey, 749 So. 2d 490, 497-98 (Fla. 1999) (holding: “When reviewing the order granting a new trial, an appellate court must recognize the broad discretionary authority of the trial judge and apply the reasonableness test to determine whether the trial judge committed an abuse of discretion. If an appellate court determines that reasonable persons could differ as to the propriety of the action taken by the trial court, there can be no finding of an abuse of discretion”); Umana v. Citizens Prop. Insur. Corp., 282 So. 3d 933, 934-35 (Fla. 3d DCA 2019) (holding: “The absence of a hearing transcript at which the trial court made this decision prevents any meaningful review of whether the trial court abused its discretion in this regard”) (citing Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150 (Fla. 1979); Barsan v. Trinity Fin. Servs., LLC, 258 So. 3d 516 (Fla. 3d DCA 2018); Rodriguez v. Lorenzo, 215 So. 3d 631 (Fla. 3d DCA 2017)).