

Third District Court of Appeal

State of Florida

Opinion filed October 6, 2022.
Not final until disposition of timely filed motion for rehearing.

No. 3D22-45
Lower Tribunal No. 19-381-K

Arnaud Girard d'Albissin,
Appellant,

vs.

Florida Fish and Wildlife Conservation Commission,
Appellee.

An Appeal from the Circuit Court for Monroe County, Timothy J. Koenig, Judge.

Caron Balkany, P.A., and Caron Balkany, for appellant.

Ashley Moody, Attorney General, and Charles J.F. Schreiber, Jr., Senior Assistant Attorney General (Tallahassee), for appellee.

Before EMAS, GORDO and BOKOR, JJ.

PER CURIAM.

Affirmed. See Kohn v. City of Miami Beach, 611 So. 2d 538, 539 (Fla. 3d DCA 1992) (“It is settled that as an action progresses, the privilege of amendment progressively decreases to the point that the trial judge does not abuse his discretion in dismissing with prejudice. While there is no magical number of amendments which are allowed, we have previously observed that with amendments beyond the third attempt, dismissal with prejudice is generally not an abuse of discretion. There is simply a point in litigation when defendants are entitled to be relieved from the time, effort, energy, and expense of defending themselves against seemingly vexatious claims.”) (Citations omitted).