

FIFTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA

Case No. 5D2025-1512
LT Case No. 2022-CA-001536

SHANE DEFREEST,

Appellant,

v.

JESSIE PRIDEMORE, HOLDEN
SHEARER, SARA HART a/k/a SARA
CATE, and ANASTASIA MARSTON,

Appellees.

On appeal from the Circuit Court for Duval County.
Robert Michael Dees, Judge.

Jesse A. Haskins, of J. Haskins Law, P.A., Savannah, Georgia,
for Appellant.

Elizabeth Brennan, of Elizabeth Brennan Law Firm, PLLC,
Ponte Vedra Beach, for Appellee, Jessie Pridemore.

No Appearance for Remaining Appellees.

June 19, 2026

PER CURIAM.

This is an appeal from a final order dismissing DeFreest's
defamation action against Pridemore for lack of personal

jurisdiction. DeFreest correctly asserts that he pleaded sufficient jurisdictional facts, un rebutted by sworn proof from Pridemore, that Pridemore committed defamation in Florida for purposes of Florida’s long-arm statute. Specifically, DeFreest, a Florida resident, alleged that Pridemore made defamatory statements about him by posting those statements on a website and that those defamatory statements were accessed by a third party in Florida. *See Estes v. Rodin*, 259 So. 3d 183, 192 (Fla. 3d DCA 2018) (holding that plaintiff’s claim that defamatory statements posted by nonresident defendants in a closed group on a social media website were accessed by third parties in Florida was sufficient to establish long-arm jurisdiction over nonresident defendants for purposes of a motion to dismiss).

Because the issue of whether Pridemore has sufficient minimum contacts with Florida to establish personal jurisdiction for due process purposes was not raised or argued below, it will not be addressed for the first time on appeal insofar as it might require a hearing and factual findings by the trial court. *See Biose v. Orasan*, 379 So. 3d 1190, 1196 (Fla. 4th DCA 2024); *Teva Pharm. Indus. v. Ruiz*, 181 So. 3d 513, 522 (Fla. 2d DCA 2015); *B.C.S., S.r.l. v. Wise*, 910 So. 2d 871, 874 (Fla. 5th DCA 2005); *Anderson v. Raymond James & Assocs., Inc.*, 583 So. 2d 1124 (Fla. 4th DCA 1991). Accordingly, we reverse and remand for further proceedings.

REVERSED and REMANDED.

JAY, C.J., and MAKAR and WALLIS, JJ., concur.

Not final until disposition of any timely and authorized motion under Fla. R. App. P. 9.330 or 9.331.
