

Third District Court of Appeal

State of Florida

Opinion filed September 3, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D26-0190
Lower Tribunal No. 21-24941-CA-01

Steven Baez,
Appellant,

vs.

David Quintana,
Appellee.

An Appeal from a non-final order from the Circuit Court for Miami-Dade County, Migna Sanchez-Llorens, Judge.

Hoekstra Law Firm, and Jacob Cable (Winter Garden), for appellant.

Zarco Einhorn Salkowski, P.A., and Himanshu M. Patel, for appellee.

Before LINDSEY, MILLER, and REBULL, JJ.

PER CURIAM.

Affirmed. See Lazcar Int'l, Inc. v. Caraballo, 957 So. 2d 1191, 1193 (Fla. 3d DCA 2007) (“Absent competent substantial evidence of some exceptional circumstance explaining the delay, a six-week delay in filing a motion to vacate a default after receiving notice constitutes a lack of due diligence as a matter of law.” (internal citation omitted)); Rodriguez v. Falcones, 314 So. 3d 469, 471 (Fla. 3d DCA 2020) (“The discretion reposed in the trial judge by Fla. R. Civ. P. 1.540 is of the broadest scope and in order to reverse a judge’s ruling thereunder, there must be a showing of a gross abuse of discretion.” (citation omitted)); see also Applegate v. Barnett Bank of Tallahassee, 377 So. 2d 1150, 1152 (Fla. 1979) (“Without a record of the trial proceedings, the appellate court can not properly resolve the underlying factual issues so as to conclude that the trial court’s judgment is not supported by the evidence or by an alternative theory.”).