

Third District Court of Appeal

State of Florida

Opinion filed July 29, 2026.
Not final until disposition of timely filed motion for rehearing.

No. 3D25-2538
Lower Tribunal No. 25-SC-575-K

John Gregorian,
Appellant,

vs.

New Century Alhambra Automobiles, Inc.,
Appellee.

An Appeal from the County Court for Monroe County, Albert L. Kelley,
Judge.

Zermay Law, P.A., and Zachary Z. Zermay and Matthew Larosiére, for
appellant.

Selz & Muvdi Selz, P.A., and Steven M. Selz (Jupiter), for appellee.

Before FERNANDEZ, MILLER, and LOBREE, JJ.

MILLER, J.

In this small claims dispute, appellant, John Gregorian, challenges a final order denying his request to propound jurisdictional discovery and dismissing his statement of claim against appellee, New Century Alhambra Automobiles, Inc., for lack of personal jurisdiction. Observing that the trial court enjoys wide latitude in overseeing discovery matters, the statement of claim was unverified and contained conclusory jurisdictional allegations, and appellee's jurisdictional affidavit was uncontroverted, we affirm the order under review. See Estes v. Rodin, 259 So. 3d 183, 190 (Fla. 3d DCA 2018) (reviewing denial of request for jurisdictional discovery for abuse of discretion); Alvarez v. Cooper Tire & Rubber Co., 75 So. 3d 789, 793 (Fla. 4th DCA 2011) ("A trial court is given wide discretion in dealing with discovery matters"); Invs. Assocs., Inc. v. Moss, 441 So. 2d 1144, 1145–46 (Fla. 3d DCA 1983) ("[T]he plaintiff has to prove jurisdiction over the person by affidavits, testimony or documents."); Venetian Salami Co. v. Parthenais, 554 So. 2d 499, 502–03 (Fla. 1989) ("In most cases, the affidavits can be harmonized, and the court will be in a position to make a decision based upon facts which are essentially undisputed."); Imerys Talc Am., Inc. v. Ricketts, 262 So. 3d 799, 804 (Fla. 4th DCA 2018) ("[A]n evidentiary hearing is not required . . . when the plaintiff fails to file a counter-affidavit to refute the defendant's affidavit."); Travel Ins. Facils., PLC v. Naples Cmty. Hosp.,

Inc., 367 So. 3d 611, 615 (Fla. 6th DCA 2023) (“[S]hould the plaintiff fail to produce sworn proof refuting the defendant’s allegations and establishing jurisdiction, the motion to dismiss must be granted.”).

Affirmed.