

**SIXTH DISTRICT COURT OF APPEAL
STATE OF FLORIDA**

Case No. 6D2024-0754
Lower Tribunal No. 2022-CF-000637-XXXX-XX

ANA LUISA GONZALEZ,

Appellant,

v.

STATE OF FLORIDA,

Appellee.

Appeal from the Circuit Court for Collier County.
John McGowan, Judge.

August 22, 2025

NARDELLA, J.

Ana Luisa Gonzalez appeals the trial court’s denial of her motion to suppress, arguing that the affidavit leading to the search warrant in question was deficient as a matter of law because it was witnessed by a law enforcement officer who was “a party to the underlying transaction” in violation of section 117.107(12), Florida Statutes, which prohibits a notary public from notarizing a signature on a document if the notary “has a financial interest in or is a party to the underlying transaction.” We find this argument unavailing for two reasons. First, the officer who witnessed the search warrant affidavit did not do so as a notary and, thus, the prohibition in

section 117.107(12) did not preclude the officer from witnessing the affidavit. Second, even if the officer was acting as a notary, Gonzalez’s broad interpretation of the phrase “underlying transaction” ignores “all the textual and structural clues that bear on the meaning of [the] disputed text.” *Conage v. United States*, 346 So. 3d 594, 598 (Fla. 2022) (internal quotation marks omitted).

AFFIRMED.

STARGEL and MIZE, JJ., concur.

Blair Allen, Public Defender, and Maureen E. Surber, Assistant Public Defender, Bartow, for Appellant.

James Uthmeier, Attorney General, Tallahassee, and Clara V. Murga, Assistant Attorney General, Tampa, for Appellee.

NOT FINAL UNTIL TIME EXPIRES TO FILE MOTION FOR REHEARING
AND DISPOSITION THEREOF IF TIMELY FILED