

FIRST DISTRICT COURT OF APPEAL
STATE OF FLORIDA

No. 1D18-844

AMERICAN HERITAGE LIFE
INSURANCE COMPANY,

Petitioner,

v.

NORMA JO SMITH and DGT, INC.,

Respondents.

Petition for Writ of Certiorari—Original Jurisdiction.

November 13, 2018

PER CURIAM.

In this certiorari proceeding, Petitioner seeks review of the order allowing Respondents to amend their counterclaim against Petitioner to assert a claim for punitive damages. The scope of our review is limited to determining whether the trial court complied with the procedural requirements in section 768.72, Florida Statutes; we do not have jurisdiction to review the sufficiency of the evidence proffered to support the punitive damages claim. *See Simeon, Inc. v. Cox*, 671 So. 2d 158, 160 (Fla. 1996); *Globe Newspaper Co. v. King*, 658 So. 2d 518, 520 (Fla. 1995); *Monroe Health Systems, Inc. v. Estate of Gonzales*, 795 So. 2d 1133, 1134 (Fla. 5th DCA 2001).

Here, the trial court complied with the applicable procedural requirements. Respondents proffered evidence to support their punitive damage claim, and after a hearing, the trial court entered a thorough order finding the proffer to be sufficient to support the claim. Accordingly, the petition for writ of certiorari is DENIED.

B.L. THOMAS, C.J., and WETHERELL and WINSOR, JJ., concur.

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

Christopher M. Cobb and Kayla A. Haines of Jimerson & Cobb, P.A., Jacksonville, for Petitioner.

Alexander D. Brown and Adam S. Goldman of The Concept Law Group, P.A., Fort Lauderdale, for Respondents.