

Ticket Toro Files Motion for Preliminary Injunction to Halt Florida § 320.061 Arrests

Motion asks S.D. Fla. to enjoin enforcement now, four months before SB 488 takes effect Oct 1. Florida legislature has already amended the challenged law.

MIAMI, FL, UNITED STATES, May 18, 2026 /EINPresswire.com/ -- On May 8, 2026, [Ticket Toro](#) filed a motion for preliminary injunction in *Castilla Rodriguez v. Cordero-Stutz, et al.*, Case No. 1:26-cv-21355-JAL, pending in the United States District Court for the Southern District of Florida. The motion asks the federal court to immediately enjoin enforcement of Florida Statute §320.061, the criminal misdemeanor statute used by Florida law enforcement to arrest drivers for displaying standard license plate frames sold at automotive retailers throughout the state.

The motion arrives four months before Senate Bill 488 — passed by the Florida Legislature with overwhelming bipartisan support — takes effect on October 1, 2026. SB 488 amends §320.061 to clarify that license plate frames are lawful provided they do not obscure the alphanumeric designation or registration decal. Until October 1, however, Florida law enforcement continues to enforce the prior version of the statute, exposing drivers to ongoing criminal arrest for conduct the Legislature has now declared lawful.

"The Florida Legislature has already decided this question. Every arrest between now and October 1 happens under a statute the State has effectively disclaimed," said Ticket Toro. "A preliminary injunction is the only mechanism that prevents irreparable harm during that four-month window."

The named defendants are Miami-Dade County Sheriff Rosie Cordero-Stutz, City of West Miami, City of Miami Beach, City of North Miami Beach, and others. The plaintiff faces immediate, ongoing exposure to arrest, prosecution, and criminal penalties for daily driving, school transportation, and interstate travel. The motion cites the recent Dawson arrest as concrete evidence that the threat of enforcement is real and continuing.

A preliminary injunction in federal court is extraordinary relief. The moving party must demonstrate four factors: substantial likelihood of success on the merits, irreparable harm absent the injunction, balance of equities favoring the moving party, and consistency with the public interest. The motion argues that all four factors are met, with particular emphasis on the irreparable harm of repeated criminal arrests for conduct that becomes lawful on October 1, 2026.

"This case is about whether the State of Florida can continue arresting drivers under a statute its own Legislature has rejected," said Ticket Toro. "When the Legislature amends a criminal law because of how it has been enforced, the equitable case for an injunction during the transition window writes itself."

The motion seeks an order enjoining defendants and persons acting in concert with them from enforcing §320.061 in any manner that prohibits license plate frames that do not obscure the alphanumeric designation or registration decal. It also asks the court to declare §320.061 facially unconstitutional and to waive or set a nominal bond.

Plaintiff's counsel includes Charles E. Whorton and Anna D. Quesada of Whorton PLLC d/b/a Ticket Toro, and Stephen Binhak, a Florida appellate attorney serving as co-counsel. The motion requests expedited briefing and an early hearing under Local Rule 7.1(b), estimating sixty minutes per side. No hearing date has been set.

The original complaint in this matter was filed in March 2026 and has been covered by NBC Miami, CBS12, iHeart/WFLA, Jalopnik, News4Jax, Telemundo 51, and Hoodline.

Read the [full preliminary injunction motion](https://tickettoro.ai/challenge-320061/preliminary-injunction) at <https://tickettoro.ai/challenge-320061/preliminary-injunction>

Learn about the underlying [constitutional challenge](https://tickettoro.ai/challenge-320061/learn-more) at <https://tickettoro.ai/challenge-320061/learn-more>

About Ticket Toro

Ticket Toro is a Florida-based traffic ticket defense firm representing drivers in all 67 Florida counties. The firm combines licensed Florida attorneys with technology that analyzes citation data to identify defective tickets and procedural violations. Ticket Toro is lead counsel on the §320.061 federal constitutional challenge. Learn more at <https://tickettoro.ai>.

Media Contact

Charlie Whorton
Ticket Toro
charlie@tickettoro.ai

Charlie Whorton
Ticket Toro
+1 844-800-8767

[email us here](#)

Visit us on social media:

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