

Florida Appeals Court Decisions: Week of February 12 - 16, 2024

February 16, 2024

U.S. Eleventh Circuit Court of Appeals

Smart v. COII Ronald England - qualified immunity

Akridge v. Alfa Mut Ins - ADA

Bowen v. DOC - § 2254, *Miranda*

Monroe v. Bd of Regents Ga - False Claims Act, sovereign immunity for States

Calhoun v. Warden, Baldwin State Prison - habeas corpus

SEC v. Almagarby - securities, unregistered dealers

Rudolph v. USA - collateral attack on sentence, plea agreement

Florida Supreme Court - Tallahassee

Steele v. Comm'r of Soc Sec - certified question, inheritance rights

In re R Reg Fla Bar - amended bar rule

First District Court of Appeal - Tallahassee

Orange Cnty FFA v. Orange Cnty Comm'rs - unfair labor practices

Pickford v. Taylor Cnty Sch Dist - summary judgment, striking affidavit

Daise v. State - postconviction relief

Fla Wildlife Fed v. Fla Legislature - mootness, environmental challenges

SEI Fuel Servs v. DOR - tax refund, overpayments

Rogers v. Dixon - habeas corpus

Fagan v. Jackson Cnty Hosp Dist - sovereign immunity, notice to DFS

Second District Court of Appeal - St. Petersburg

Haskell v. PCP Group - business dispute, operating agreement interpretation

Gale Force Roofing v. Am Integrity Ins - insurance, assignment of benefits, § 627.7152

Darst v. West Coast Grp Enters - appellate standing

GAL v. SS - certiorari, dependency, intervention

Third District Court of Appeal - Miami

Cantens v. Certain Underwriters - notice of intent to litigate, retroactivity of section 627.70152(3)

Frazier v. State - disqualification of judge, preservation

Citizens v. Peipert - prejudgment interest, appellate jurisdiction

Malik v. State - dismissal of charge

Highway 1 v. Andris - contract formation, mutual assent

Cardenas v. Bank of New York Mellon - foreclosure, insufficient record

Findlay v. Star Lakes - unauthorized motion, appellate jurisdiction

Fourth District Court of Appeal - West Palm Beach

Pozos v. State - sentencing, nonstate prison sanction

Desbrunes v. US Bank - suggestion of death, abatement

Lee v. State - resisting officer, non-unanimous verdict

Garcia v. Moreno - lump sum alimony, agreement

Agriesti v. Agriesti - fee award, appellate jurisdiction

Yatak v. La Placita - punitive damages, fraud in the inducement

Ningbo Daye v. Int'l Global - personal jurisdiction, forum selection

Johnson v. State - Eighth Amendment, juvenile, life sentences, certified conflict

Fifth District Court of Appeal - Daytona Beach

Manago v. State - remand, sentencing, § 775.082(1)(b)

Hevia v. State - probation violation, written order

Veltman v. State - Anders appeal, written order

Last v. State - restitution, calculation error

Walsh Grp v. Zion - supplemental authority, strike

Lesbar Enterprises v. Baker - dismissal, prejudice

Rease v. State - Spencer warning, pro se

Sixth District Court of Appeal - Lakeland

Arroyo v. State - sentencing, double jeopardy

Wellsprings Residence v. AHCA - administrative review, improper modification of findings

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