

Florida Appeals Court Decisions: Week of April 13 - 17, 2020

April 18, 2020

U.S. Eleventh Circuit Court of Appeals

US v. Gomez - sentencing

In re Wild - CVRA

Barnett v. MacArthur - § 1983, immunity

Carroll v. Carnival Cruise - maritime tort, premises liability

Webster v. Dean Guitars - copyright, unfair competition, false endorsement

Florida Supreme Court - Tallahassee

Ponticelli v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

AHCA v. Rodriguez - Medicaid reimbursement

MedPure v. DOH - marijuana licenses, constitutional challenges

Robinson v. Farah & Farah - pro se sanctions

LT v. State - certiorari, Marsy's Law

Newcombe v. State - postconviction relief

Pensacola Bch v. AFLIC - foreclosure, intervention, redemption

Pannell v. Escambia Sch Dist - workers' compensation

Hetherington v. State - Williams evidence

Beall v. State - Nelson hearing

Niles v. State - pro se sanctions

Chimale v. State - jail credit

Oliver v. State - firearm possession

Second District Court of Appeal - Lakeland

Valera-Rodriguez v. State - sentencing
Singer v. Eichler - marital dissolution, reopening judgment, new evidence
Skene v. Avatar P&C - premature suit
State v. Desange - reckless driving
Nishman v. Stein - paternity, fees
Fagen v. Fagen - certiorari, financial information, § 61.16
State v. Robinson - sentencing
Roesch v. Crosby - foreclosure, notice, ¶ 22
McVety v. McVety - stipulated costs
State v. James - sexual offender
Lauterbach v. Lauterbach - marital dissolution, residency requirement
TC v. State - probation
Yzaguirre v. State - Nelson hearing
Hepco Data v. Hepco Med - certiorari, discovery
Jefferson v. State - postconviction relief

Third District Court of Appeal - Miami

Yehezkel v. Aral - injunction, repeat violence
People's Trust v. Franco - insurance, election to repair
Graham Cos v. Amado - landlord duties
DG v. State - probation revocation
Jawaid v. DCF - disability benefits
State Farm v. Sanders - certiorari, disinterested appraiser, certified question
Leos v. Hernandez - child relocation
LC v. DCF - shelter petition, substance abuse evaluation
Hernandez v. Jackson Mem - appellate jurisdiction
Owusu v. Miami - certiorari, discovery denial

Fourth District Court of Appeal - West Palm Beach

Ayers v. State - competency; written order
Sherrod v. State - probation revocation
Brown v. State - hearsay; opening the door
Perrault v. Engle - child hearsay, corroboration
Jennings v. State - voir dire, comment on evidence; witness bolstering
PBC School Brd v. Bakst - charter school termination; attorney's fees
Carter v. Carter - marital dissolution; child support
Almodovar v. State - speedy trial

Puy v. State - Snapchat; threat, vagueness
Eugene v. State - double jeopardy; single homicide rule
State v. Cheeks - speedy trial
Campos v. Arana Auto Ins - taxation of costs
Singer v. Singer - sua sponte, transfer to another county
Pratt v. FLDOR - due process; notice of hearing

Fifth District Court of Appeal - Daytona Beach

Befanis v. Befanis – dissolution, modify, alimony
JC v. State – involuntary substance abuse treatment
Haar v. State – sexual battery, indigent defense cost
DOR v. Ashby – dismissal, prejudice
Spear v. State – certified question, conflict; ministerial error, post-judgment
Rojas v. State – *Anders* appeal, costs
Silbsby v. State – *Anders* appeal, costs
Stratton v. State – probation violation, evidence
Hernandez v. State – community control, written order
Wheeler v. State – *Anders* appeal, costs
Mansell v. State – criminal, costs
Chivese v. State – *Anders* appeal, costs
Henry v. State – criminal, costs
Murphy v. State – postconviction relief

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