

# Florida Appeals Court Decisions: Week of April 18 - 22, 2022

April 23, 2022

## U.S. Eleventh Circuit Court of Appeals

*Heyman v. Cooper* - land use

*Gulfstream Aerospace v. Oceltip Aviation* - arbitration

*US v. Smith* - First Step Act

*US v. Stowers* - wiretaps, concurrence

*US v. Mosely* - sentencing

*Speech First v. Cartwright* - First Amendment, campus harassment, concurrence

## Florida Supreme Court - Tallahassee

*Boyle v. Samotin* - medical negligence, tolling, presuit notice

## First District Court of Appeal - Tallahassee

*Cohen v. Autumn Village* - Assisted Living Facilities Act, scope

*State v. Mackendrick* - postconviction relief

*Philip Morris v. Manning* - concurrence, venue, transfer

*Briggs v. Briggs* - marital dissolution

*Astaphan v. DOH* - medical license, emergency restriction

## Second District Court of Appeal - Lakeland

*RJ Reynolds v. Jones* - *Engle*, punitive damages

*Massey v. Edison Ins* - insurance, assignment of benefits, standing

*Cintron v. State* - theft, fair market value, jury instructions

*Century-Nat'l Ins v. Regions All Care* - insurance, PIP, overdue claim

*Jones v. McKinney* - probate, claims priority

*Welch v. State* - postconviction relief

*Crawford v. Grubb* - eviction, default judgment, premature

*Hornsleuth v. McCloud* - mandamus, CDC eviction moratorium, stay

*Nasmin Enter v. Carliszle/Wilson* - appellate jurisdiction

*Kalogianis v. State* - postconviction relief

*Heritage v. Fairway* - insurance, appraisal, supplemental claim

## Third District Court of Appeal - Miami

*Ordway v. Karibu Props* - inter vivos transfer, donative intent

*Unifirst v. Stronger Collision* - ex parte arbitration

*Levy v. Donnefeld* - martial dissolution, time-sharing

*Homestead v. USA* - prohibition, Harris Act, quasi-legislative act

*Parkhomchuk v. AIY* - appellate jurisdiction, rendition, rule 1.540

*Univ P&C v. Dimanche* - default judgment, setting aside

*Aersale v. Total Air Serv* - statutory fuel lien

*SA v. DCF* - parental rights, termination

*U of Miami v. Jones* - medical malpractice, presuit requirements

## Fourth District Court of Appeal - West Palm Beach

*Montgomery v. State* - peremptory challenge, reduce charge

*Greenberg v. Bekins* - discovery, damages

*Garcia v. Soto* - stalking, pattern of harassment

*Porsche v. Copans Motors* - franchise modification

*Total Care v. Citizens* - notice, assignment, insurance benefits

*Cross v. State* - warrantless search

*Hollywood v. Haynie* - *sua sponte* dismissal

*Martin Memorial v. Gorham* - certiorari, pre-suit requirements

*Marcelus v. Aqua Finance* - default judgment

## Fifth District Court of Appeal - Daytona Beach

*Graham v. Graham* - alimony, child support, income calculation

*Scaggs v. State* - *Anders*, cost

# Related Practices

## Appellate & Trial Support

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.