

# Florida Appeals Court Decisions: Week of April 1 - 5, 2019

April 06, 2019

## U.S. Eleventh Circuit Court of Appeals

*Guevara v. NCL (Bahamas)* - expert reports, negligence

*Kroma Makeup v. Boldface Licensing* - Lanham Act

*US v. Cooks* - search & seizure

*Taylor v. Hughes* - §1983, immunity

*US v. Moss* - sentencing

*Holzman v. Gerald & Assocs* - FDCPA, FCCPA

## Florida Supreme Court - Tallahassee

*Wetzel v. Travelers* - pro se sanctions

## First District Court of Appeal - Tallahassee

*Marocco v. Brabec* - sword & shield doctrine, § 713.29, fraudulent lien,

*Lowry v. State* - certiorari, involuntary commitment

*Dorsey v. Robinson* - MRTA, possession, intestate succession

*Smith v. State* - hearsay, child sex abuse, jail recording

*McClash v. Long Bar Pointe* - administrative review, appellate standing

*Stamitoles v. State* - second-tier certiorari, resisting officer

*McLendon v. D'Amico* - timesharing

*Bishop v. State* - probation revocation, ineffective assistance

*Gordon v. State* - sentencing

*Kimmons v. State* - probation revocation

*Lee v. State* - hearsay, 911 call, jail recordings

*Deloach v. State* - murder, evidence

*Burns v. State* - juvenile sentencing

*Grimsley v. State* - burden shifting to defense

*Robinson v. State* - murder solicitation, evidence

*Rodgers v. State* - competency

*Certo v. Certo* - foreclosure, standing

*Dorsey v. Dorsey* - marital dissolution

*Terry v. State* - manufacturing cannabis, evidence

*Hester v. State* - sentencing

*DOH v. Redner* - marijuana, cultivation, Fla Constitution

*Kneer v. Lincare* - workers' compensation, constitutionality, evidence

*Randstad v. Barr* - certiorari, expert medical advisor

## Second District Court of Appeal - Lakeland

*Lehmann v. Coconut Bayou* - real property, conveyances

*Tecklenburg v. Kouremetis* - court records, confidentiality

*Anderson v. Mitchell* - certiorari, accident report privilege

*Dooley v. State* - Stand Your Ground, instructions

*Wells Fargo v. Quest* - foreclosure, documents, self-authentication

*Buggs v. State* - sentencing

*Davis v. State* - sentencing

*Schofield v. Judd* - habeas corpus

## Third District Court of Appeal - Miami

*Diaz v. State* - probation revocation

*Charlier v. State* - murder, evidence

*MC Trust v. Cohen de Mishaan* - personal jurisdiction

*Maercks v. Maercks* - probate, appellate jurisdiction

*Wilcox v. DOR* - child support, missing transcript

*Bazzichelli v. Deutsche Bank* - rule 1.540

*Sibley v. Sibley* - trust, interpretation

*Waldman v. Laquer Fam* - foreclosure sale

*Publicidad Vepaco v. Mezerhane* - certiorari, competing counsel

## Fourth District Court of Appeal - West Palm Beach

*Viladoine v. State* - trial amendment

*Gindel v. Centex Homes* - tolling, certification

*Morrill v. State* - value, proof

*OAG v. Nationwide Pools* - due process, consent judgment

*Kronen v. Deutsche Bank* - foreclosure, standing

*Tejada v. Forfeiture* - 8th Amendment

*SLV v. Toth* - declaratory judgment, findings

*JR v. State* - comprehensive evaluation

*Rowe-Lewis v. Lewis* - evidentiary hearing, factual findings

*Roland v. State* - sanction

*Hastie v. State* - sentencing

*Bynes v. State* - sentencing

## Fifth District Court of Appeal - Daytona Beach

*Phillips v. US Bank* - foreclosure, attorney's fees

*Fla Organic v. Advent Environmental* - attorney's fees; jurisdiction, trial

*Ward v. State* - child abuse; defense witness, exclusion, sanction

*Johnson v. Johnson* - dissolution, child support, parenting plan

*Taylor v. State* - child pornography, double jeopardy

*Paulette v. Rosella* - child support, mediated settlement agreement

*Corrigan v. Vargas* - child support, mediated parenting plan, vacate

*King v. State* - *Spencer* bar

*BBI v. Win-Development - Wheaton*, offer of judgment, email

*Weathers v. State* - *Spencer* bar

*DCF v. Rodriguez* - certiorari, involuntary commitment

*McWaters v. State* - *Spencer* bar

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