

# Florida Appeals Court Decisions: Week of August 28 - September 1, 2023

September 02, 2023

## U.S. Eleventh Circuit Court of Appeals

*Adam v. Demopolis City Schools* - bullying, suicide, § 1983

*Payne v. SCAD* - arbitration

*USA v. Beach* - witness tampering

*FTC v. Nat'l Urological Grp* - equitable monetary remedies, contempt

*USA v. Wiley* - jury selection, identification testimony, crime of violence

*Davis v. Apopka* - probable cause, false arrest, municipal liability instruction

*USA v. Curtin* - threats, federal judge, invited error, judicial recusal

## Florida Supreme Court - Tallahassee

*In re Fla R Civ Pro Invol Commit* - amended rules

*In re Fla R App Pro* - amended rules

*In re R Reg Fla Bar* - amended rule

*In re Fa R Traffic Ct* - amended rules

## First District Court of Appeal - Tallahassee

*Hotel Investor v. Davis* - ore tenus motion, lack of transcript

*Dixon v. State* - probation revocation

*Turner v. Knight* - real property, easement

*Young v. State* - sentencing, unrequested costs

*Dove Inv v. Lau* - appellate jurisdiction, final order

*Dallas v. RAAC* - appellate jurisdiction

*DCF v. MH* - parental rights, termination

## Second District Court of Appeal - St. Petersburg

*Wyrich v. State* - sentencing, uncharged conduct

*TJ v. State* - delinquency, disposition

## Third District Court of Appeal - Miami

*Shabtai v. Shabtai* - judge recusal

*Zakharova v. Innovative Tech & Consult* - lis pendens, extension of time

*MDP v. DCF* - termination of parental rights

*Polo v. Hernandez* - dissolution, attorney's fees

*Stivelman v. Stivelman* - dissolution, alimony

*Suzmar LLC v. First Nat Bank of South Miami* - negligence, unjust enrichment

*100 Lincoln RD SB v. LoanCore Cap Credit REIT* - foreclosure

*Montalvo v. Rovirosa* - probate, statute of limitations

*Reaction Rehab v. Fletcher* - discovery sanction, dismissal

*Facen v. State* - revocation of probation

*Galue v. Clopay Corp* - worker's comp immunity

*Beaubrun v. GeoVera* - policy construction

## Fourth District Court of Appeal - West Palm Beach

*Medina v. State* - rehearing, entrapment

*Ward v. State* - sentencing, double jeopardy

*Feldman v. Citizens* - insurance, directed verdict, jury instructions

*Prado v. State* - sexual battery, child hearsay

*US Bank v. Saunders* - foreclosure, equitable powers

*Ross v. State* - Baker Act, sufficiency of evidence

*Mollerstrom v. Zambrana* - family law, taxation of costs

*Lynn v. State* - public defender fee

*Green v. Farmer* - minor child, temporary custody

*Francois v. JFK Medical* - worker's comp retaliation, business judgment rule

## Fifth District Court of Appeal - Daytona Beach

[Mango v. Mango](#) - concurrence; dissolution, written findings, § 61.08

[Gatchell v. Kryvosheia](#) - marital settlement agreement, parenting plan, preservation

[Collins v. State](#) - postconviction relief

[Simpson v. State](#) - *Spencer* warning, pro se

# Sixth District Court of Appeal - Lakeland

[Young v. State](#) - postconviction relief

[Ali v. Khan](#) - dissolution, alimony, child support, attorney's fees

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