

Florida Appeals Court Decisions: Week of August 31 - September 4, 2020

September 04, 2020

U.S. Eleventh Circuit Court of Appeals

Santiago v. Raytheon - PAA, FL limitations, CERCLA tolling

Hoffer v. FI DOC - deliberate indifference, HCV treatment

McKenny v. USA - tax, settlement

Berisha v. Lawson - defamation, public figure, atty client priv

Jacobson v. FI SOS - vacating *this* decision; election; standing; political question

Cantu v. Cty Dothan Ala - excessive force, qualified immunity, state agent

MSPA v. Liberty Mutual - Medicare Secondary Payer Act

MSP v. Travelers - Medicare Secondary Payer Act

MSP v. Auto-Owners - Medicare Secondary Payer Act

Florida Supreme Court - Tallahassee

In re R Reg Fla Bar - amended rules

In re Fla Prob R - amended rules

In re Bar Admissions - state bar exam, COVID-19

Dillbeck v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

Varn v. State - certiorari, cellphone passcode; certified conflict, question

Daniels v. DOH - nursing home admin, license suspension

Cameron v. DOH - nursing home admin, license suspension

Harrison v. Walsh - habeas corpus

SC v. DCF - parental rights, termination

21st Mort v. TSE Plantation - foreclosure, bankruptcy, unclean hands

Causey v. State - driving, suspended license, knowledge

In re Esser - name change

Harden v. State - sentencing

Price v. State - sentencing

Watford v. State - sentencing

Second District Court of Appeal - Lakeland

Greene v. Twistee Treat - premises liability, obvious danger

ECT v. State - delinquency

Waters v. State - probation modification

Bracero v. State - community control revocation

White v. Ft Myers - contract breach, mistake, misrepresentation, proposed orders

Fortune v. First Protective - insurance, civil remedy notice, appraisal

Woodbury v. State - postconviction relief

Waters v. State - scrivener's error

Lamore v. State - postconviction relief

Third District Court of Appeal - Miami

Island Travel v. MYR Indep - § 772.11, civil theft, attorney's fees

Ives v. Gettinger - amendment, implied statutory claim

Lupetto v. South Bay Devel - specific performance; real estate sale

Harris v. Harris - attorney's fees, personal representative

Johnny's Pool v. Foreverpools - personal jurisdiction, minimum contacts

Nat Med Imaging v. Lyon Fin - stay, bankruptcy

Truist Bank v. De Posada - garnishment, face of order, appellate jurisdiction

Magarino v. Bank of NY Mellon - judicial disqualification

Fourth District Court of Appeal - West Palm Beach

Tumblin v. State - sequestration, victim of crime

Brinson v. State - sentencing, public defender's fee

Fifth District Court of Appeal - Daytona Beach

Ciotti v. Ciotti - rehearing en banc; unliquidated damages
Goins v. Praetorian Ins - insurance, third-party beneficiary
Tordini v. Tordini - dissolution, permanent alimony, fees
UCF v. Boston Culinary - administrative, substantial evidence, fees
DIK v. State - investigative costs
Landmark v. Anchor Ins - certified question; homestead, insurance benefits, assignment
Darby v. State - *Spencer* warning, pro se
Murphy v. Hutchens - paternity, magistrate report, exceptions
Chancey v. Young - foreclosure; trial setting, at issue
Dean v. State - prohibition, § 812.014
Webb v. State - sentence

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