

Florida Appeals Court Decisions: Week of December 11 - 15, 2023

December 15, 2023

U.S. Eleventh Circuit Court of Appeals

Consumers' Research v. FCC - Telecommunications Act, nondelegation doctrine

USA v. McCoy - First Step Act, sentencing

Lapham v. Walgreen - FMLA, Florida Whistleblowers Act, retaliation

USA v. Kincherlow - coercing prostitution, inducing

Ounjian v. Globoforce - Fla Whistleblowers Act, FDUTPA

Tynes v. Fla DJJ - Title VII discrimination, burden shifting

Florida Supreme Court - Tallahassee

In re Fla R App P - amended rule

Gonzalez v. State - capital case, interlocutory appeal, all writs

Nairn v. State - pro se sanctions

In re Fla Prob R - amended rules

In re Fla R GP & JA - amended rule

First District Court of Appeal - Tallahassee

Whitley v. State - sentencing

Seminole v. Braden - workers' compensation

Mitchell v. Ahmed - parenting plan, modification

C&S Wholesale v. DBPR - excise tax, refund, other tobacco products

Washington v. State - evidence, controlled substance, possession by passenger

Second District Court of Appeal - St. Petersburg

Sarasota Tennis v. CC of Sarasota HA - tortious interference, contract breach, FDUTPA

State v. Reddin - extraterritorial arrest

Welch v. State - sentencing, plea withdrawal

Treadway v. State - postconviction relief

Third District Court of Appeal - Miami

Universal v. Sunset 102 Off Park CA - leave to amend, spoliation, improper comments

Ferrer v. Larrinaga - alimony

Fertil v. Univ of Mia - *Daubert* challenge, causation opinion

Wello & Mom v. Clear Spring - forum selection clause

Pringle v. Pringle - unequal distribution, debt

Weiss v. BI 27 - lis pendence, fraud in execution

Miami-Dade Cnty v. Berastain - negligent supervision, breach, causation, evidence

Sadeh v. Calenzani - child support, modification

Gnaegy v. Morris - removal of personal representative and trustee, appellate jurisdiction

SDSol Techs v. Stardam - leave to amend, claim to pierce corporate veil

Ryan v. State - peremptory challenge, sentencing

Johansson v. Miami-Dade Cnty - second-tier certiorari, jurisdiction

Vill of Palmetto Bay v. 17777 Old Cutler Rd - second-tier certiorari, incorrect application of law

Roberson v. Reyes - habeas, delayed filing of charges, good cause

Fourth District Court of Appeal - West Palm Beach

Fed Ins Co v. Perlmutter - punitive damages proffer, en banc, certification

Fifth District Court of Appeal - Daytona Beach

State v. Crandall - resentencing

Villalba-Santos v. State - sentence, vacate

Hurlburt v. State - jail credit, summary denial, records

Sixth District Court of Appeal - Lakeland

Maso v. Security First - certified conflict; § 627.70152, pre-suit notice

Hines v. Westgate Resorts - summary affirmance

Orosco v. Rodriguez - establishment of paternity

Mercury Indemn v. Thomas - appellate jurisdiction

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