

Florida Appeals Court Decisions: Week of December 16 - 20, 2019

December 21, 2019

U.S. Eleventh Circuit Court of Appeals

Hallums v. Infinity Ins - insurance

Geico Marine Ins v. Shackelford - insurance, admiralty

Crawford's Auto Ctr v. State Farm Ins - RICO, fraud, unjust enrichment

Florida Supreme Court - Tallahassee

Bogle v. State - capital case, postconviction relief

Hooks v. State - *Faretta* inquiries

Sparre v. State - capital case, postconviction relief

In re Fla R Jud Admin - parental leave continuance

Davis v. State - speedy trial, arrest

Woodward v. State - jurisdiction discharged, contempt

Knight v. State - jury pardon, fundamental error, manslaughter instruction

Am S Home Ins v. Lentini - insurance, collector vehicle policy, limited UM coverage

Lieupo v. Simon's Trucking - Water Quality Act, personal injury damages

Love v. State - Stand Your Ground, retroactive application

Sanchez v. Miami-Dade - sovereign immunity, dead conflict

In re Fla Std Jury Instr (Crim) - amended instructions

In re Fla Std Jury Instr (Crim) - amended instructions

In re Fla Prob R - amended rules

In re Fla R Crim Pro - amended rules

In re Fla R App Pro - amended rules

In re Fla Std Jury Instr (Crim) - amended instructions, substantive issues

In re Fla Std Jury Instr (Crim) - amended instructions

Adv Op re Minimum Wage - citizen initiative ballot review

In re Fla Std Jury Instr (Crim) - amended instructions

First District Court of Appeal - Tallahassee

State v. Brumelow - search and seizure, inevitable discovery

Knots v. State - hearsay

Jones v. Jones - marital dissolution, medical expenses, child support

Hauser v. Goodwill - workers' compensation

Partlow v. State - postconviction relief, supplementing record

Miller v. N Fla Eval & Treat Ctr - involuntary medical treatment

McDonald v. Jacksonville - workers' compensation

Dubose v. Dubose - equitable distribution

Gray v. AHCA - Medicaid lien, reduction

Mojica v. AHCA - Medicaid lien, reduction

Johnson v. State - drug trafficking

Baxter v. State - administrative procedure, jail credit

AW v. APD - administrative review, Medicaid waiver

Nilio v. State - postconviction relief

Wiener v. Taylor Morrison - arbitration

Phillips v. State - sentencing, Eighth Amendment

Porter v. State - alibi disclosure, public defender lien

Howell v. Balchunas - medical malpractice, presuit

Black Point Assets v. OCWEN - foreclosure, default

De Hoyos v. Bauerfeind - child hearsay, domestic violence

Second District Court of Appeal - Lakeland

Githler v. Grande - securities, certified conflict

State v. JRD - search and seizure, police error

Suess v. Suess - marital settlement agreement, fees

State v. Stephens - certiorari, state operational plan

Durrance v. RJ Reynolds - *Engle* progeny, limitations defense

Bentley v. State - law enforcement identification

Pierce v. US Bank - stipulated dismissal, withdrawal

Mirabella v. Mirabella - child support, imputed income

Third District Court of Appeal - Miami

Biza v. Galway Bay HA - class certification, mobile homeowners

State v. Amaya - search and seizure

Freixa v. State - grand theft, value

Kamal-Hasmat v. Loews Miami Bch - hotel, duty to post lifeguard
Kitchen v. Cerullo - child custody, scope of relinquishment
Bank of NY v. Figueroa - certiorari, discovery
Poole v. DeFranko - medical malpractice caps, constitutionality
Quintero v. State - pro se sanctions
Abouelseoud v. AIM Recovery - second tier certiorari, appellate jurisdiction
Alger v. US - second tier certiorari, zoning, standing
Vargas v. Baez - summary affirmance
Hechevarria-Figueroa v. State - postconviction relief
Chacon v. Junior - habeas corpus
Smith v. Junior - habeas corpus

Fourth District Court of Appeal - West Palm Beach

Epps v. State - sentencing
Gulfstream Park Racing v. MI-V1 - guarantor liability
Hines v. State - competency hearing
Guy v. State - voir dire, *Richardson*
McLendon v. Palm Beach IG - attorney's fees, public records
Nangle v. Nangle - alimony, ability to pay
Savoia v. Fitness Int'l - exculpatory clause, avoidance
Peterson v. Pollack - statutory immunity

Fifth District Court of Appeal - Daytona Beach

Roberts v. State - Stand Your Ground
Davis v. Maloch - alimony
State v. Randolph - license, dismissal
Mason v. State - sentencing
Cash v. State - plea withdrawal
Washington v. State - sanctions
Andrews v. State - sentencing
GEICO v. Accident & Injury Clinic - PIP
Magill v. State - sentencing
DOR v. Robinson - contempt
Justus v. State - jail credit
Woods v. State - postconviction relief

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