

Florida Appeals Court Decisions: Week of December 7 - 11, 2020

December 12, 2020

U.S. Eleventh Circuit Court of Appeals

USA v. Graham - Internal Revenue Code, obstruction, sufficiency, evidence

Munoz v. Selig - ADA, FMLA

Wood v. Raffensperger - election, standing, mootness

SmileDirectClub v. Battle - order granting rehearing en banc, vacating *this* decision

USA v. Taylor - First Step Act, covered offense

Santos v. USA - postconviction relief

Santos v. US Atty Gen - immigration, concession, remand

M&M v. Mazzoni - land sale contract, tortious interference

LS v. Peterson - Parkland shooting, civil rights, due process, failure to train

Florida Supreme Court - Tallahassee

State v. Marsh - double jeopardy

State v. Maisonet-Maldonado - single homicide rule

First District Court of Appeal - Tallahassee

Holloway v. State - hearsay, state of mind

Barber v. Bay Cnty Sheriff - sovereign citizen theory

Dawson v. Jacksonville - appellate jurisdiction, order permitting amendment

Robbins v. Kerns - timesharing, child support

McCloud v. Tackett - certiorari, attorney-client privilege, go-between

Johnson v. State - double jeopardy, certified question

Sullivan v. NuCO2 - workers' compensation

Second District Court of Appeal - Lakeland

AC v. State - delinquency, restitution, findings, public defender fee
Dial v. Calusa Palms - past medical expenses, Medicare payments, certified question
Persaud Props v. Ft Myers Bch - zoning, alcohol, nonconforming use, abandonment
Parker v. State - probation revocation
Garcia-Rodriguez v. State - probation revocation
Schlechter v. Comm'y Hous Trust - settlement, enforcement, rule 1.540, mistake
Surgery Cntr Hold v. Guirguis - temporary injunction, employment, restrictive covenants
Magloire v. Obrenovic - domestic violence injunction
Howarth v. Lombardi - certiorari, circuit court appellate scope, county court jurisdiction
Wolfe v. Newton - prohibition, return of seized firearms
Martin v. State - Stand Your Ground
Goodman v. Goodman - compliance with prior mandate
Christian v. State - firearms, actual and constructive possession instruction
Drapp v. McDaniel - real property, transfer, validity
JAK Capital v. Adams - foreclosure, pleading fraud defense

Third District Court of Appeal - Miami

Frederick v. Citizens - insurance coverage, roof leak, disputed issues
Express Damage Restor v. First Comm'y - insurance, declaratory judgment, dismissal
Bank of Am v. de Morales - certiorari, discovery stay, immunity defense
State v. Marin - evidence, call, unintelligible portions
Blackboard v. YTech-1428 Brickell - insurance, appraisal confirmation versus complaint
Poultry & Indus Suppliers v. Incubacol - forum non conveniens
Sweetwater v. Pichardo - appellate jurisdiction, sovereign immunity
Brady v. State - postconviction relief

Fourth District Court of Appeal - West Palm Beach

Karkhoff v. Robilotta - marital dissolution
Accardi v. Regions Bank - foreclosure, deficiency, statute of limitations
Giat v. SCI Funeral - injunction, disposition of remains
Restoration Const v. Safepoint Ins - insurance, claim reporting delay
Hollis v. State - ineffective assistance of counsel, timeliness
Aguilera v. Aguilera - prohibition; s. 57.105, jurisdiction
Walker v. State - *Daubert*, cell phone location
Fain v. State - sentencing
El v. State - peremptory strike, *Melbourne*, appellate record
Free v. State - competency, costs, public defender fee

Hegwood v. State - sentencing correction

Garcia v. State - probation violation, sentencing

Brown v. State - sentencing

R.J. Reynolds v. Kaplan - Engle, improper closing arguments

Bridge Fin v. J. Fischer & Assoc - trade secrets; tortious interference

Morgan v. State - sentencing

Singer v. Singer - post-marital agreement, jurisdiction

Fifth District Court of Appeal - Daytona Beach

Mohammed v. State - attempted murder

State Farm v. Knapp - UM benefits, improper argument, mistrial

Poche v. Fannie Mae - foreclosure, standing

Grosvenor v. State - rehearing; sentencing

Tullis v. State - Spencer warning, pro se

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