

# Florida Appeals Court Decisions: Week of February 12 - 16, 2018

February 12, 2018

## U.S. Eleventh Circuit Court of Appeals

[Dasher v. RBC Bank](#) - arbitration

[Stout v. Jefferson Cnty Bd of Edu](#) - desegregation

[CRI-Leslie v. IRS](#) - tax

## Florida Supreme Court – Tallahassee

[Franklin v. State](#) - capital case, postconviction relief

[Branch v. State](#) - capital case, postconviction relief

## First District Court of Appeal – Tallahassee

No decisions this week

## Second District Court of Appeal – Lakeland

[State v. AJ](#) - oral motions; prosecutorial discretion

[McCampbell v. FNMA](#) - foreclosure; original writing requirement

[Citizens v. Anderson](#) - attorney's fees, supporting findings, lack of transcript

[Millan v. Millan](#) - alimony

[Soliman v. State](#) - sentencing

[Knight v. GTE Fed Credit](#) - foreclosure; evidence, letter log

St Petersburg v. Wright - Sunshine law, shade meeting  
C&J Global v. Capgain Props - intervention, reformation claim  
DT v. JM - child support  
Sukraj v. Phoeung - additur, past pain and suffering  
Bruce v. US Bank - appellate standing  
Wells v. Wells - marital dissolution, settlement agreement  
Youssef v. Zaitouni - personal jurisdiction  
Clayton v. State - personal property return  
Casiano v. Scott - *Nebia* pre-trial detainers  
Payas v. Adventist Health - health care, vicarious liability, nondelegable duty

## Third District Court of Appeal – Miami

Ruiz v. State - post-trial release  
Westberry v. State - jury waiver  
Mt Vernon Fire Ins v. New Moon Mgmt - rule 1.442, settlement proposal  
Feller v. RJ Reynolds - rule 1.260, death, party substitution  
Wromas v. State - sentencing

## Fourth District Court of Appeal – West Palm Beach

RJ Reynolds v. Schoeff - remand  
Pacchiana v. State - juror strike; religion  
Philip Morris v. Gore - preservation; punitive damages  
State v. Schultz - sentencing  
Alvarez v. State - circumstantial evidence  
Stickney v. State - use of force instruction  
Sch Bd Palm Beach v. FDOE - charter school  
Woodward v. State - contempt  
Sanchez v. Cinque - *Daubert*; comparative negligence; fees  
Eisenpresser v. Koenig - probate; accounting  
Canidate v. State - fleeing  
Catalo v. Llano Financing - attorney's fees  
Kunz v. Sch Bd Palm Beach - class-size amendment  
Hudson v. Sunrise - forfeiture

[Yaro v. Israel](#) - age discrimination  
[Freeman v. Omega Condo](#) - attorney's fees; transcript  
[Le v. Tralongo](#) - personal jurisdiction  
[Water Bridge 5 Assoc v. Davis](#) - attorney's fees, costs  
[Tesoro POA v. Tesoro Commons](#) - temporary injunction

# Fifth District Court of Appeal – Daytona Beach

[Niehaus v. Niehaus](#) - fraud on court  
[Newman v. Hirst](#) - certiorari, privilege, *Boecher* discovery  
[Bishop v. State](#) - sentencing

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