

Florida Appeals Court Decisions: Week of February 14 - 18, 2022

February 19, 2022

U.S. Eleventh Circuit Court of Appeals

US v. Williams - sentence reduction, First Step Act

MidAmerica C2L v. Siemens Energy - expert testimony, leave to amend, new trial

US v. Dennis - notice, revocation of probation

US v. Campbell - en banc, search and seizure, good faith, issue waiver or forfeiture

Pincus v. American Traffic Solutions - unjust enrichment

Parks v. BitConnect Int'l PLC - securities, solicitation

US v. Dupree - en ban poll, vacating *this* unpublished opinion

Del Castillo v. Sec FDOH - First Amendment, nutrition licensing

Florida Supreme Court - Tallahassee

Fla Bar v. Schwartz - attorney discipline

In re R Reg Fla Bar - unlicensed attorney, remote work from Fla

First District Court of Appeal - Tallahassee

Berrane v. State - self-defense, deadly force instruction, reputation

Vickery v. Pensacola - injunction, tree removal, historic tree

Silberberg v. Palm Bch Sch Bd - workers' compensation

Daniels v. Riggien - First Amendment, qualified immunity

Demichael v. DMS - retirement benefits, capacity, spousal acknowledgment

First Call 24/7 v. Citizens - insurance appraisal

State v. Kahl - sentencing

Running Cars v. Miller - arbitration, waiver

State v. KF - search and seizure

Terra Mar Prop Mgmt v. Wilmington Sav Fund Soc - foreclosure, limitations

White v. State - postconviction relief
Carroll v. Dixon - postconviction relief
Orndorff v. State - ineffective assistance, appellate counsel
Forrester v. State - ineffective assistance, appellate counsel
PR v. DCF - parental rights, termination

Second District Court of Appeal - Lakeland

Stallings v. Bernard - stalking injunction
Cossio v. Marceno - habeas corpus, no-contact orders
Seiracki v. State - resisting officer without violence
Tampa Park v. Andrews - certiorari, nonparty financial information

Third District Court of Appeal - Miami

Aledda v. State - evidence, witness training
Arbelaez v. Ortiz - service of process
Miami Lakes v. Miami-Dade - road transfer, contract breach
Calafell v. State - postconviction relief
Ferguson v. Trinidad & Tabago - certiorari, corporate representative
Am Mobile Health v. State Farm - PIP, reasonable amount
United Auto v. Millennium Radiology - PIP, collateral estoppel
Selman v. Progressive - settlement enforcement, postjudgment jurisdiction
8425 Biscayne v. Pinnacle Towers - real property, restrictive easement
Harris v. HGA-Land - Applegate affirmance
United Auto v. Millennium Radiology - PIP, collateral estoppel
Marsh v. Gallagher Risk Mgmt - administrative challenge, waiver
State v. Gutierrez - probation violation
Ridard v. Massa Inv Grp - arbitration
El Mallakh v. Belgium Inv - default judgment, vacatur
Melkonian v. Code Enforce - lack of prosecution
Innova Inv v. Rolle - pleadings, leave to amend
LK Hotel v. 1512 One Co - appellate jurisdiction
Curry v. State - postconviction relief
Belmondo v. Amisal - temporary injunction, defamation, prior restraint
Hodge v. Babcock - certiorari, child pickup order
Arslanian v. Junior - habeas corpus

Fourth District Court of Appeal - West Palm Beach

Tower Hill v. Kushch - proposal for settlement, ambiguity
Geovera v. Glasser - insurance, water damage
McRoberts v. State - self-incrimination, cell phone PIN
DHBH Atlantic v. Delray Beach - Bert J. Harris Act, pre-requisites
Silvas v. Silvas - marital dissolution, constructive trust
Chatten v. Chatten - marital dissolution, nonmarital property
JG Contracting v. Tower Innov - default judgment, personal jurisdiction
Garson v. State - *Spencer* sanctions
Paris v. State - sentencing, supervision cost
Projekt Prop Resto v. Citizens - insurance, water leak, experts
Belanger v. Belanger - marital dissolution, continuance
Sandoval v. State - probation order, jurisdiction
State v. Fox - preservation of error
Briggs v. State - withdrawal of plea, sentencing

Fifth District Court of Appeal - Daytona Beach

Santiago v. Wilmington Trust - constructive service, default, foreclosure
Security First Ins v. Vazquez - insurance, limitation of liability
Rivas v. State - battery, mistrial, comment on right to remain silent
McKnight v. State - subpoena, medical evidence, relevance
Sesler v. State - *Spencer* warning, pro se
Kitchen v. State - sentence
Kelly v. State - sentence, lack of remorse

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