

# Florida Appeals Court Decisions: Week of February 6 - 10, 2023

February 10, 2023

## U.S. Eleventh Circuit Court of Appeals

*Clements v Fla* - habeas, sex offenders, concurrence  
*GEICO v Wilemon* - appellate jurisdiction, final orders  
*GSE Consulting v L3Harris Tech* - intellectual property  
*Walker v Life Ins Co* - bad faith, insurance  
*Walters v Fast AC* - standing

## Florida Supreme Court - Tallahassee

*Parrish v. State Farm* - insurance, disinterested appraiser

## First District Court of Appeal - Tallahassee

*Blackwell v. State* - mootness, completed sentence  
*Milian v. Dixon* - prisoner petition, untimely  
*Givens v. State* - sexual battery, serious personal injury  
*Coons v. Henderson* - stalking injunction  
*Daily v. Hill* - Applegate affirmance  
*Renner v. DOH* - administrative review, dentist, emergency restriction  
*Townsend v. State* - appeal from supreme court  
*Wesley v. Dixon* - mandamus, prisoner  
*Cortes v. State* - mandamus, moot  
*Lillie v. RAAC* - untimely appeal  
*Weed v. State* - mandamus, requirements

*FR v. DCF* - parental rights, termination, failure to prosecute

## Second District Court of Appeal - St. Petersburg

*Devine Designs v. Thompson* - restrictive covenant, injunction

*Oquendo v. State* - expert testimony, PTSD,

*XS v. State* - sentencing, crime prevention funds

*McGill v. McGill* - child support, findings

*Schmidt v. JJTB* - foreclosure, jurisdiction, amendment

*XS v. State* - delinquency, corpus delicti

*G&G v. Palm Plaza* - commercial lease, parking, FDUTPA

*Burnett v. State* - probation order

*Quest Sys v. Home of My Own* - foreclosure, vacatur

## Third District Court of Appeal - Miami

*Stivelman v. Stivelman* - alimony modification, statutory findings

*Mesa v. State* - sentencing, restitution, evidentiary hearing

*Harris v. Sunbelt Rentals* - dangerous instrumentality doctrine, joint adventure

*United Auto. v. Feijoo* - PIP, expert witness fee

*R.A. v. State* - Fourth Amendment, seizure, welfare check

*Morrow v. Morrow* - will, evidentiary hearing

*Tilia Cordata v. Yellow Funding* - dismissal, foreclosure, non-party, appellate jurisdiction

*FDC v. M.H.* - monetary sanction, indirect criminal contempt, due process

*Padron v. Padron* - prohibition, MSA, vacatur, continuing jurisdiction

## Fourth District Court of Appeal - West Palm Beach

*Barrett v. State* - probation, *Faretta* inquiry

*Etienne v. State* - clarification, *Richardson* hearing, harmless error

*Testa v. Jupiter Island* - ordinance, notice

*Obermeyer v. State* - postconviction relief

*Cruz v. Matos* - unrequested relief

*EWL v. State* - sentencing

*Family Sec. Ins. v. Stein* - certiorari, discovery, claims file

*Walker v. Wallace* - contempt

*KN v. DCF* - intervention, standing

[Burns v. Mascara](#) - habeas corpus, pretrial detention

# Fifth District Court of Appeal - Daytona Beach

[Martinez v. Universal Ins](#) - homeowners' insurance; sworn proof of loss

[Littles v. State](#) - suppression, traffic stop, mistake

[Baker Family Chiro v. Liberty Mutual](#) - PIP, interest

# Sixth District Court of Appeal - Lakeland

[Maye v. State](#) - sentencing

[Stewart, Jr. v. State](#) - habeas corpus, postconviction relief

[Vega v. State](#) - postconviction relief

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