

# Florida Appeals Court Decisions: Week of January 27 - 31, 2020

January 31, 2020

## U.S. Eleventh Circuit Court of Appeals

*US v. Bane* – procedural default

*White v. Lemma* – three-strikes provision, frivolous claims

*Glasser v. Hilton Grand* – TCPA

*US v. Cabezas-Montano* – MDLEA, *Miranda*, *Brady*, sentencing

*In re Dailey* – AEDPA, habeas corpus

*Johnson v. Miami-Dade Cnty* - §1983, Title VII, FCRA

## Florida Supreme Court - Tallahassee

*In re Fla R App P* - amended rules

## First District Court of Appeal - Tallahassee

*Knighton v. State* - new trial standard

*La Galere Markets v. DBPR* - alcohol, automated beverage machines

*Martin-Godinez v. State* - postconviction relief

*Pickle v. Hale* - contingency fees

*King v. State* - postconviction relief

*Mobley v. Taylor* - appellate jurisdiction

*Stevens v. State* - sentencing

*Jackson v. State* - evidence

*State v. Fla Snr Liv Ass'n* - rule challenge, ALFs, fees

*Haupt v. Haupt* - child support, income

*Cook v. Cook Bros* - judicial disqualification

*Rogers v. State* - certiorari, Stand Your Ground

*Cave v. State* - postconviction relief

## Second District Court of Appeal - Lakeland

*Riley v. State* - direct criminal contempt

*Jones v. US Bank* - foreclosure, standing, mortgage, fees

*Taneja v. Saraiya* - derivative action, SLC, discovery

*HSBC v. Sherman* - foreclosure, paragraph 22

*Bayfront v. DOH* - trauma center application

*Lobb v. State* - resisting arrest, Marchman Act

*Lane-Hepburn v. Hepburn* - marital dissolution, default

*Routenberg v. State* - ineffective appellate counsel

*NC v. DCF* - certiorari, forced immunizations

## Third District Court of Appeal - Miami

*Four Ambassadors v. Vice City* - contract claims

*CS v. State* - grand theft, value

*Rawls v. State* - postconviction relief

*Yam Export v. Nicaragua Tobacco* - arbitration

*Aguilo v. Am Sales* - rule 1.420, costs

*Bahad v. Christiana Trust* - foreclosure, sale, mootness

*Citizens v. Schwiep* - county ordinance, board membership

*Berki v. State* - appellate jurisdiction

*Alvarez-Mejia v. Bellissimo Props* - appellate jurisdiction

*Esslinger-Wooten Maxwell v. Lones Fam* - broker, procuring cause

*Cellfus Ent v. Perez* - service of process

## Fourth District Court of Appeal - West Palm Beach

*Fla Ins Guaranty Assoc v. Rubin*—attorney's fees, insurance

*Alexander v. State*—jury instruction, obscenity

*Nelson v. State*—competency hearing

*Bynes v. State*—pro se sanction

*Clark v. Meizlik*—parenting plan

## Fifth District Court of Appeal - Daytona Beach

*Orange Cty v. Ferguson* – negligence, directed verdict, new trial

*Willis v. State* – postconviction relief, special concurrence

*Frantz v. EM Paving* – garnishment, deficiency judgment

*State v. Miller* – postconviction relief

*Downs v. State* – postconviction relief

*Velez v. State* – *Spencer* bar, pro se

*Gore v. State* – *Spencer* warning, pro se

*Fox v. Hamptons Condo Assn* – *Spencer* warning, pro se

*Chester v. State* – *Anders* appeal, investigative costs

*Rittirucksa v. Rogers* – summary judgment, confession of error

## Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.