

# Florida Appeals Court Decisions: Week of June 17 - 21, 2019

June 22, 2019

## U.S. Eleventh Circuit Court of Appeals

*Hinson v. Bias* - § 1983, qualified immunity

*Silberman v. Miami Dade Transit* - ADA, Rehab Act

*Gogel v. Kia Motors Mfg* - en banc

*Mihelick v. US* - tax

*Whatley v. Warden* - habeas corpus

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*EP v. DCF* - parental rights, termination

*Lowery v. State* - shaken baby, *Williams* rule, jury instructions, limiting closings

*Angelo v. Parker* - class certification, FDUTPA

*Martin v. Martin* - equitable distribution

*Morales v. State* - search and seizure, chat room

*Pollard v. State* - prohibition, Fifth Amendment, password disclosure

*Abreu v. Riverland* - workers' compensation

## Second District Court of Appeal - Lakeland

*Braden Woods HA v. Mavard* - qualified immunity, official capacity, exhausting remedies

*Richardson v. State* - postconviction relief

*Babic v. State* - postconviction relief

*SC v. DCF* - parental rights, termination

*Pierrelouis v. Pierrelouis* - UCCJEA, appealability  
*Lawrence v. State* - jailhouse confession, admissibility  
*Contreras v. State* - probation revocation  
*Hollis v. Hollis* - child custody, timesharing

## Third District Court of Appeal - Miami

*Gonzalez v. State* - theft, sentencing  
*Velasquez v. Herman* - civil conspiracy  
*Molina v. Perez* - alimony  
*Laptopplaza v. Wells Fargo* - mortgage, inflating amounts due  
*Reyes v. State* - animal cruelty  
*Khata v. Belova* - general master, deference  
*Miccosukee Tribe v. Lewis Tein* - settlement proposal, good faith  
*Brown v. Brown* - child support, identity theft claim  
*YS Catering v. Attollo Part* - contract dispute  
*Westbrook v. State* - scrivener's error  
*Opko Health v. Lipsius* - securities, related federal action, stay of proceedings

## Fourth District Court of Appeal - West Palm Beach

*Ayos v. State* - sentencing, costs  
*CC v. State* - DJJ recommendation, departure  
*Hurchalla v. Lake Point* - tortious interference, free speech

## Fifth District Court of Appeal - Daytona Beach

*Rivera v. State* - murder, cross examination  
*Shirley v. State* - ineffective assistance  
*Piccinni v. State* - sentencing, acceptance of responsibility  
*Smith v. Unum Life Ins* - prejudgment interest; costs  
*Wilson v. State* - murder, *Miranda*  
*Strong v. Underwood* - medical record, admission  
*Ovenshire v. State* - withdraw plea, appellate jurisdiction  
*State v. Avella* - criminal dismissal  
*Parker v. Shelmar POA* - summary judgment, safe premises  
*Rivers v. State* - ineffective assistance

*Anderson v. State* - *Spencer* bar, pro se  
*Clingerman v. JF* - certiorari, child custody

## 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.