

# Florida Appeals Court Decisions: Week of March 2 - 6, 2020

March 07, 2020

## U.S. Eleventh Circuit Court of Appeals

*Sargeant v. Hall* - costs post-dismissal

*Woods v. Ala DOC* - stay of execution

*Woods v. Warden* - successive habeas corpus

*Woods v. Warden* - substitute counsel

*Auto Alignment & Body v. State Farm* - jurisdiction, antitrust

## Florida Supreme Court - Tallahassee

*Anderson v. State* - reckless driving as lesser included

*Smith v. State* - capital case, postconviction relief

*In re Std Jury Instr* - standard jury instructions, new procedures

## First District Court of Appeal - Tallahassee

*Ray v. DOC* - postconviction relief

*Frederick v. FCOR* - belated appeal, civil proceeding

*Maddox v. DCF* - Medicaid benefits, power of attorney

*Hill v. State* - sentencing, double jeopardy

*State v. DMS* - mootness

*Casey v. DOC* - mandamus, duty to rule

*Lowry v. State* - ineffective assistance

*Santiago v. State* - postconviction relief

*Clark v. State* - scrivener's error

*Barber v. DOC* - certiorari, post-conviction relief

## Second District Court of Appeal - Lakeland

*Heid v. FIGA* - sinkhole claims, fees, certified question  
*Treadway v. State* - sentencing, certified question  
*Heritage Found v. Estate of Schmid* - probate, attorney's fees  
*Meyers v. Meyers* - timesharing  
*Bryant v. State* - sentencing  
*Christensen v. Christensen* - MSA, contempt, fees  
*Donofrio v. State* - oaths  
*Hock v. Triad Guar Ins* - administrative dissolution, power to sue, en banc  
*Judy v. Judy* - alimony  
*State v. Johns* - sentencing  
*State v. JC* - search and seizure  
*JP Morgan v. US Equity* - rule 1.540, extrinsic fraud

## Third District Court of Appeal - Miami

*Lifshultz v. 20 Condo Ass'n* - appellate jurisdiction  
*Law v. Law* - MSA, interpretation  
*Beem v. Ferguson* - Applegate affirmance, fees; prejudgment interest  
*Ottey v. Citizens* - coverage, summary judgment  
*Pena v. Bi-Lo Holdings* - spoliation, adverse inference, summary judgment  
*State Farm v. Ceda Health* - certiorari, PIP benefits, judicial disqualification  
*Hotel Ass'n v. AirBnB* - rule 9.100(d) petition, public records access  
*Concepcion v. State* - habeas corpus  
*Zhou v. In re Chen* - fees, inherent authority, notice  
*JG v. DCF* - certiorari, custody  
*FCA v. DCF* - certiorari, dependency  
*LC v. DCF* - certiorari, dependency  
*Anchor P&C v. Yanes* - certiorari, insurance, claim file discovery

## Fourth District Court of Appeal - West Palm Beach

*Bentrim v. Bentrim* - marital dissolution, attorney's fees  
*Safeco Ins v. Heikka* - s. 57.105, attorney's fees  
*PDK v. McConnell* - shareholder agreement; oral modification  
*Beseler v. Avatar Prop* - fraud on the court, sanctions, dismissal  
*Socol v. Socol* - stipulation, attorney's fees; parental responsibility  
*Boucher v. Warren* - temporary injunction, domestic violence  
*Ramsey v. State* - competency hearing  
*Delorme v. State* - sentencing

*Howard v. Providence Cap* - Rule 5-1.1, trust funds, injunctive relief

*Ming v. NS FOA* - judicial disqualification

*Schwartz v. Bank of Am* - foreclosure, law of the case, motion to vacate

# Fifth District Court of Appeal - Daytona Beach

*Richards v. State* - remand, investigative costs

*Smith v. State* - sexual battery, interview, unfair prejudice

*JN v. DCF* - Medicaid assistance, substantial evidence

*Register v. State* - *Anders* appeal, corrected written order

*Carter v. Bromberg* - plenary guardian; due process, notice

*CN v. IGC* - certified conflict; timesharing modification, substantial evidence

*State Farm v. Thompson* - alternative dispute resolution, disinterested appraiser

*Shoulders v. State* - murder, sentencing, concession of error

*Lewis v. State* - *Spencer* warning, pro se

*Terry v. State* - *Spencer* warning, pro se

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