

# Florida Appeals Court Decisions: Week of May 18 - 22, 2020

May 23, 2020

## U.S. Eleventh Circuit Court of Appeals

*Statton v. Fla Fed JNC* - FOIA, judicial nominating commission

*Compulife v. Rutstein* - copyright, trade secrets, false advertising, computer hacking

## Florida Supreme Court - Tallahassee

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

*In re R Reg Fla Bar* - amended rule 21-4.1, military spouses

*State v. Johnson* - jury selection, preservation of error

## First District Court of Appeal - Tallahassee

*Wesson v. Fla Peninsula Ins* - fees multiplier, contingency cases

*JAX Refrig v. Chin* - temporary injunction

*Joseph v. State* - jury selection

*Roshell v. State* - competency

*Davis v. State* - competency

*Washington v. State* - Stand Your Ground

*In re Grd Jury* - grand jury report

*Morgan v. Am Airlines* - workers' compensation

*Vinson v. Vinson* - contempt, equitable distribution

*Walker v. State* - communications device, unlawful use

*Kerridge v. State* - scrivener's error

*Lowery v. State* - scrivener's error

## Second District Court of Appeal - Lakeland

*Sullivan v. State* - Stand Your Ground

*USF Trustees v. Carter* - empty chair, causation; *Stuart v. Hertz* instruction

*Reynolds Ventures v. Gilbert* - appellate jurisdiction

*Pinello v. State* - probation revocation

*State v. Kendrick* - appellate counsel sanctions

*Houston v. Tampa Firefight Pension* - retirement benefits

*Gokay v. State* - probation, STD test

*CG v. MM* - paternity, timesharing

## Third District Court of Appeal - Miami

*Demircan v. Mikhaylov* - probate, trust, fees

*State v. Quero* - sentencing

*State v. Garcia* - certiorari, sentencing

*Robinson v. State* - sentencing

*Deshazor v. Safepoint* - insurance, seepage exclusion

*Mordica v. State* - burglary; cross-exam, prior inconsistent statements

*Hernandez v. Citizens* - insurance, earth movement exclusion

*McWilliams v. State* - due process, identification procedures

*Miami Bch v. Fla Gas* - appellate jurisdiction

*Old Cutler Lakes v. SRP SUB* - property, foreclosure, past due assessments

*Gilbert v. Gilbert* - marital settlement agreement

*Morales Law Grp v. Rodman* - service of process

*Hechevarria-Figueroa v. State* - habeas corpus

## Fourth District Court of Appeal - West Palm Beach

*Coto v. State* - double jeopardy

*Kokhan v. Auto Club Ins* - insurance, exclusion

*Atallah v. Transworld Bus Brokers* - sale, commission

*Thomas v. State* - assault, element

*Griffin v. Palm Beach BCC* - summary judgment, affirmative defense

*US Bank v. Buchanan* - foreclosure, lost note

*Rehab Ctr at Hollywood Hills v. FPL* - duty, energy supply

*Lockett v. State* - jury request, view defendant

*Jallali v. Christiana* - wrongful foreclosure

*Henderson Behavioral Health v. Cortes* - medical malpractice, presuit

# Fifth District Court of Appeal - Daytona Beach

*Arnold v. State* - *Anders* appeal, written order

*Hillman v. State* - *Anders* appeal, oral pronouncement

*Miller v. Miller* - dissolution, attorney's fees

*Specialty Solutions v. Baxter Gypsum* - default, unliquidated damages, void

*Turpenning v. State* - *Anders* appeal, costs

*Willoughby v. State* - murder, theft, harmless error

*Taylor v. State* - cost, § 318.18(11)(b)

*Milton v. State* - *Anders* appeal, cost of investigation

*GEICO v. Accident Injury Clinic* - certiorari, discovery, *Irizarry*

*Jones v. Jones* - dissolution, alimony, injunction

*Banash v. State* - postconviction relief

*Smith v. State* - habeas corpus

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

*Sapeg v. State* - sentence

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