

# Florida Appeals Court Decisions: Week of May 31 - June 4, 2021

June 05, 2021

## U.S. Eleventh Circuit Court of Appeals

*Sanchez-Castro v. US Atty Gen* - asylum, removal

*Horn v. Liberty Ins.* - insurance coverage, invasion of privacy, dissent

*Eres v. Progressive* - insurance bad faith

*Birmingham Min v. Ala Secy of State* - denial of rehearing en banc, voting rights, dissent

*US v. Stem Cell Clinic* - FDA regulations

*Huang v. Equifax* - class settlement

*Don't Look Media v. Fly Victor* - personal jurisdiction, forum selection clause

## Florida Supreme Court - Tallahassee

*Allen v. State* - capital case, direct appeal

*Arch v. Kubicki Draper* - insurance, duty to defend, malpractice

*State v. JAR* - public defender fees

## First District Court of Appeal - Tallahassee

*Earven v. State* - ineffective assistance, appellate counsel

*Drayton v. State* - sentencing

*Huggins v. Sigel - Daubert*, timeliness, qualifications

*Andrews v. State* - sentencing

*KF v. DCF* - untimely appeal

*Advanzeon v. DFS* - insurance receivership, contract, health plan admin fees

*Tally Med Ctr v. Kemp* - slip and fall, evidence, directed verdict

*Phillips v. State* - probation violation

*Ivey v. State* - sentencing

*Shores of Panama v. STO* - trial court costs, dismissed defendant

*Castle Key v. Wooden Fam Tr* - insurance appraisal, waiver, more definite statement

## Second District Court of Appeal - Lakeland

*Medina v. State* - community control

*Mateo v. State* - scrivener's error

*EHW v. State* - restitution

*Dean v. Bevis* - stalking injunction, right to bear arms

*Spicer v. State* - nolle prosequi

*Tank Tech v. Valley Tank* - equitable subrogation

*Swaford v. State* - probation revocation

*Santoro v. AsankaCars.com* - insurance, fees

## Third District Court of Appeal - Miami

*De Soleil Condo Assn v. De Soleil Assn* - summary judgment, standing, jurisdiction

*Holmes v. State* - sufficiency, *Miranda* right

*MLCA v. MLNHA* - motion to dismiss, declaratory relief

*State v. Jones* - Richardson hearing, double jeopardy

*Deshazor v. State* - *Faretta* right

*Montero v. Corzo* - untimely witness disclosure, *Binger* factors

*Orozco v. Rodriguez-Amadeo* - parenting time, due process

*Segal v. Forastero* - summary judgment, piercing corporate veil

*Lopez v. Frometa* - certiorari, drug test, notice

*Logreira v. Logreira* - parenting plan, supplemental order, due process

## Fourth District Court of Appeal - West Palm Beach

*Franklin v. State* - cost assessment

*Point Conversions v. WPB Hotel Partners* - patent, subject matter jurisdiction

*Prentice v. State* - cost assessment

*Cohen v. US Bank* - summary judgment, personal knowledge

*Underwriters at Lloyd's v. Pierson* - insurance, indemnification

*Anchor P&C v. Trif* - insurance, "concealment or fraud"

*Dodge v. People's Trust* - insurance, liability limit

*S Broward Hosp v. Feldbaum* - certiorari, credentialing, immunity

*Lewis v. State* - postconviction relief

*State v. Shaul* - investigative subpoena

*Bethea v. State* - domestic violence, stand your ground

*High Def Mobile MRI v. State Farm* - policy, endorsement

# Fifth District Court of Appeal - Daytona Beach

*Connell v. State*- probation violation, due process

*Manago v. State* - rehearing, harmless error, *Alleyne* error

*Smith v. Williams* - contempt, visitation interference

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

*Ryan v. Community First*- foreclosure, vacate, appellate jurisdiction

*Dep Ins v. Pasco-Pinellas Community Sys* - summary judgment, PIP benefits

*Olson v. Eco Marine* - judgment, recused judge, non-ministerial act

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