

Florida Appeals Court Decisions: Week of November 8 - 12, 2021

November 13, 2021

U.S. Eleventh Circuit Court of Appeals

Marrache v. Bacardi USA - class action, FDUTPA

CSX Corp. v. US - relocation benefits, RRTA

Karantsalis v. Miami Springs - ADA, limitations

Florida Supreme Court - Tallahassee

Steiger v. State - ineffective assistance, unpreserved claims

Noetzel v. State - capital case, direct appeal

First District Court of Appeal - Tallahassee

Hicks v. State - sua sponte mistrial

Watrel v. Watrel - alimony, fees

Doss v. UPS - workers' compensation

Fla Fin Impact v. All Voters Vote - elections, citizen's initiative

Hosp East v. Hampton - workers' compensation

Smith v. State - probation revocation

UFBOT v. Carmody - certiorari, medical malpractice presuit; certified conflict

Second District Court of Appeal - Lakeland

Toth v. Miller - inequitable conduct, sanctions

Collins v. Avatar P&C - insurance, breach, premature suit

Kozma v. Advanced Surgery Ctr - certiorari, medical malpractice limitations

State v. Downs - postconviction relief

TECO v. Gansner - workers' compensation immunity

Leve v. State - postconviction relief
Harden v. State - sentencing
Gay v. Dunedin - pleadings, opportunity to amend
Blackburn v. State - probation
Crescent Shore CA v. Lani Kai - res judicata

Third District Court of Appeal - Miami

12550 Biscayne CA v. NRD - summary judgment, continuance; unconscionability
Safepoint Ins v. Williams - § 768.79, settlement proposal
2275 NE 120 St v. Sanchez Struve - foreclosure, sale, vacatur, redemption
Lola v. State - pro se appeal, represented defendant
Lopez v. Cavagnuolo - § 57.105 sanctions
United Auto Ins v. ISOT Med Ctr - set-off defense
Imperial Fire & Cas v. Acosta - insurance, rescission
Montoya-Martinez v. State - concealed firearm
Locascio v. State - postconviction relief
Bruce v. State - parole
Alvarez v. Cantor - certiorari, punitive damages
SJ v. DCF - child protection, guardianship
Nelson v. State - certiorari, discovery
Thomas v. State - appellate jurisdiction
Roche v. Cyrulnik - certiorari, stay, comity
Impulsora de Productos Sostenables v. Garcia - certiorari, stay, nonviable action
Prince v. MCR Apts - appellate jurisdiction, finality

Fourth District Court of Appeal - West Palm Beach

Choate v. Rysurg - settlement, breach
DL v. State - juvenile, probation violation
Bell v. State - sentencing, substance abuse course
Progressive v. Faderani - PIP, bad faith, Medicare coding
Andersen Firm v. Brown - proposal for settlement, ambiguity
Israel v. US Bank - dissent, foreclosure, notice of default
Toyano's Auto v. Southern Auto - auto lien, bond, proper parties
First Call 24/7 v. Citizens - homeowners' insurance, appraisal

[Humphrey v. State](#) - postconviction relief

Fifth District Court of Appeal - Daytona Beach

[Disney Cruise v. Martins](#) - maritime negligence, punitives, fees

[Clayton v. State](#) - Anders appeal, voluntary plea

[Essa v. Pepe](#) - temporary parenting plan, substantial evidence

[Colon v. Lindenberger](#) - nonfinal appeal, jurisdiction

[Labissiere v. State](#) - postconviction relief

[Dickerson v. State](#) - postconviction relief

[Bush v. Krisan](#) - mandamus; trial setting, at issue

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