

# Florida Appeals Court Decisions: Week of November 9 - 13, 2020

November 14, 2020

## U.S. Eleventh Circuit Court of Appeals

*Whitehead v. Compass Bank* - securities fraud

*Turnham v. USA* - tax, deductions, notice

*Bilal v. GEO Care* - civil commitment, substantive due process

*NAD v. Florida* - appellate jurisdiction, sovereign immunity, ADA

*Senter v. USA* - postconviction relief, ACCA

*Tuomi v. Florida* - postconviction relief, right to counsel, ineffective assistance

## Florida Supreme Court - Tallahassee

*In re Fla Fam L R Pro* - corrected opinion, amendments

*In re Fla Fam L R Pro* - amended rules

## First District Court of Appeal - Tallahassee

*Casey v. State* - pro se sanctions (order)

## Second District Court of Appeal - Lakeland

*Milling v. Travelers* - bad faith, damages, attorney's fees

*IOU Central v. Pezzano Contr* - rule 1.540, amending judgment

*Maki v. Multibank 2009-1* - garnishment, exemption, retroactive amendment

*Berry v. State* - communications device, use in felony; venue

*Ybor Med Inj v. AHCA* - license suspension, stay, certified conflict

## Third District Court of Appeal - Miami

*ESJ II Op v. Airplay Advent* - fraud, contract, independent tort

*Univ P&C v. Deshpande* - fees, notorious billable hours syndrome, expert costs

*78D Team v. US Bank* - foreclosure, standing

*Warlen v. Badeaux* - appellate jurisdiction, immediate possession; guardianship, trust

*Gonzalez v. State* - closing arguments

*Piquet v. Clareway Props* - certiorari, severance, consolidation

*Edgecomb v. State* - habeas corpus, "hard labor" sentence

## Fourth District Court of Appeal - West Palm Beach

*Valentine v. State* - eyewitness identification; hearsay

*Coccaro v. Geico* - class action, standing, commonality

*Can Fin v. Niklewicz* - foreclosure sale, vacating, mistake

*JJD Realty v. Artesa* - nunc pro tunc order

*Martin v. Eldemire-Martin* - writ bodily attachment, contempt

*VRJ v. State* - juvenile, escape, transportation

*Tedford v. State* - search and seizure; dog sniffs

*Dyck-O'Neal v. Herman* - foreclosure, authentication, hearsay

*Sears v. State* - juror competency, bias

*Walding v. State* - comment on post-arrest silence, firearm, relevance

*Taylor v. State* - sentencing, double jeopardy

*Bailey v. State* - probation violation, competency

*BW v. State* - delinquency, restitution

## Fifth District Court of Appeal - Daytona Beach

*Fuller v. State* - remand, Stand Your Ground, effective date

*Rajabi v. Villas Condo Assn* - foreclosure, lien, fees

*Stoute v. State* - sentencing, concession of error

*Stuckey v. State* - *Spencer* bar, pro se

*Lewis v. State* - murder, competency, investigative cost

*Thomas v. State* - postconviction relief

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