

# Florida Appeals Court Decisions: Week of October 12 - 16, 2020

October 17, 2020

## U.S. Eleventh Circuit Court of Appeals

*Harrigan v. Rodriguez* - §1983, excessive force, appeal waiver, *Heck* bar

*Zapata v. Att'y Gen* - immigration, removal, material support

*Hoever v. Marks* - vacating *this*, ordering en banc

## Florida Supreme Court - Tallahassee

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

## First District Court of Appeal - Tallahassee

*MacPapers v. Boyd* - employment, age discrimination

*Brown v. State* - postconviction relief

*Coleman v. State* - Stand Your Ground

*Libersat v. State* - stalking, evidence

*Kustom US v. Henry* - venue, accrual, contract breach

*Sussman v. DOC* - inmate grievance, exhaustion of remedies

*Hewett v. State* -sentencing

*DB v. DCF* - certiorari, mootness

*Roulac-Lawrence v. State* - competency, defendant

*Tallahassee Housing Auth v. Prather* - voir dire, time limit

*Sellers v. Anstett* - certiorari, presuit notice, evidentiary hearing

*Manning v. State* - postconviction relief

*Gallion v. State* - postconviction relief

*Bradley v. State* - sentencing

## Second District Court of Appeal - Lakeland

*JAR v. State* - theft, vehicle identification; search and seizure; defender fee

*Mallick v. Mallick* - timesharing, restrictions, written findings, certified conflict

*Shortridge v. State* - postconviction relief

*TECO v. Gansner* - workers' compensation immunity

*Melvis v. State* - sentencing

*Stange v. State* - sentencing, stricken *Anders* brief

*Drapp v. McDaniel* - real property, deed validity, mental capacity

*Geary v. State* - probation revocation

*East Bay v. Reddish* - certiorari, punitive damages, nursing home

*DHSMV v. Chakrin* - second-tier certiorari, driver's license

## Third District Court of Appeal - Miami

*Doe v. Univ of Miami* - duty of care

*Tittle v. Dahm* - will administration

*Sebastian v. City of Miami* - federal claim preclusion

*Remy-Calixte v. Harvard Fin Servs* - scope of remand, discretion

*Bailey v. State* - scrivener's errors

*Quirch Foods v. Broce* - employment, restrictive covenants, injunction

*Cher v. Fin Ind Serv* - second-tier certiorari, standard

## Fourth District Court of Appeal - West Palm Beach

*Lakeview Loan v. Barr* - foreclosure, HUD regulation, proof, letter dispatch

*Vital Pharmaceuticals v. Ohel* - FCRA, punitive damages, financial worth discovery

*Ingalls v. State* - sentencing, costs

*Dixon v. State* - sentencing, costs

*BA v. DCF* - parental rights, termination, untimely written order

## Fifth District Court of Appeal - Daytona Beach

*Rosado v. State* - attempted murder, *Apprendi* violation

*Trendowski v. Robson Forensics* - hearing, notice, due process

*McCray v. State* - postconviction relief

*La Rosa v. La Rosa - Spencer* bar, pro se

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

*Niemi v. State* - postconviction relief

*Blyden v. State* - motion to correct sentence, oath requirement

*Dixon v. State* - postconviction relief

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