

Florida Appeals Court Decisions: Week of October 18 - 22, 2021

October 23, 2021

U.S. Eleventh Circuit Court of Appeals

Cox v. Warden - qualified immunity, 8th Amendment

McCoy v. Fla Gov - voting rights

Cheshire Bridge Holdings v. Atlanta - overbreadth, adult businesses

Gold-Fogel v. Fogel - abstention

US v. Wheeler - acquittal, prosecutorial misconduct, concurrence

Florida Supreme Court - Tallahassee

Smith v. Inch - capital case, postconviction relief

Fla Bar re Murtha - attorney discipline

In re R Reg Fla Bar - new bar rule

First District Court of Appeal - Tallahassee

Kirksey v. State - habeas corpus

Porter v. State - pro se sanctions

Morgan v. State - pro se criminal defendant, representation

Second District Court of Appeal - Lakeland

Washington v. State - sentencing

Bayview Loan v. Brown - four corners rule, judicial notice

Capital Wealth v. Capital Wealth - commission agreement, restraint on trade

Clemann v. State - scrivener's error

Nisbett v. State - scrivener's error

Duryea v. Bono - timesharing, parental relocation, magistrate order, finality

St Pete v. Dorchester Hldgs - public records

Fason v. State - postconviction relief, sentencing, certified conflict

Miller v. State - probation revocation

Tanner v. Tanner - alimony

Nicholas v. Grant - pickup order, timesharing

Third District Court of Appeal - Miami

Hodgson v. State - postconviction relief

Berggren v. N Miami Bagels - rule 2.516, service

Bivins v. Douglas - trust, standing

Creative Inv v. Santibanez - lack of transcript

Powell v. Sampson - medical malpractice, presuit

Henley v. N Miami - Whistle-blower's Act

JB Pirtle Constr v. Warren Henry Auto - certiorari, lien

Ramkelawan v. Morgan & Morgan - arbitration, attorneys, bar rules

FIU v. Ramos - second-tier certiorari, student discipline

Leon Med Cntrs v. Duran - certiorari, punitive damages

Walker v. State - pro se sanctions

Fourth District Court of Appeal - West Palm Beach

Bartolone v. State - rehearing, constructive possession

Symonette v. Lozano - opportunity to amend

Precision Diagnostics v. Progressive - PIP, interest

Robinson v. State - postconviction relief

Longarzo v. Young - adoption petition,

Nadeau v. Reeves - paternity

Fifth District Court of Appeal - Daytona Beach

Friedman v. Deutsche Bank - foreclosure, fees, interest

Spring Isle v. Herme Enterprises - statute of repose

Lally v. Sandhu - valuation; fee entitlement, appellate jurisdiction

Ooten v. State - Anders appeal, probation conditions

Werner Enterprises v. Sweeney - certiorari, discovery; special concurrence

Anthony v. State - certiorari, competence

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