

# Florida Appeals Court Decisions: Week of October 19 - 23, 2020

October 23, 2020

## U.S. Eleventh Circuit Court of Appeals

*Tufts v. Hay* - personal jurisdiction, subject matter jurisdiction  
*Stryker v. Homewood* - § 1983, excessive force, qualified immunity  
*McGroarty v. Swearingen* - § 1983, due process, limitations  
*Torres v. First Transit* - new trial, juror misconduct  
*J-B Weld v. Gorilla Glue* - trade dress infringement, dilution, false advertisement  
*Gallardo v. Mayhew* - petition for rehearing denied  
*USA v. Grow* - sufficiency, jury instruction, sentencing  
*Crawford v. FEG* - experts, negligent design, jury instruction, evidence  
*USA v. Muho* - self-representation, FRCP Rule 17(b), sentencing  
*Pine Mountain v. IRS* - tax, conservation easement

## Florida Supreme Court - Tallahassee

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

## First District Court of Appeal - Tallahassee

*Ross v. State* - ineffective assistance, appellate counsel  
*Felten v. State* - competency  
*Chandler v. DOC* - postconviction relief  
*Horn v. State* - postconviction relief  
*Hernandez v. J Sterling Roofing* - certiorari, workers' compensation  
*Burnam v. State* - lay witness testimony  
*Johnson v. Inch* - pro se sanctions  
*Armstrong v. State* - appellate jurisdiction  
*Hysong v. Keller* - appellate jurisdiction

*Lynch v. State* - closing arguments, burden shifting  
*Gerville-Reache v. Gerville-Reache* - child support, imputed income  
*Sutherland v. State* - postconviction relief  
*Williams v. State* - scrivener's error  
*Ames v. State* - competency

## Second District Court of Appeal - Lakeland

*Newman v. Newman* - child support, contempt, vacatur  
*State v. Watlinton* - youthful offender sentencing  
*Garner v. State* - sentencing  
*Watts v. Goetz* - legal malpractice, marital settlement

## Third District Court of Appeal - Miami

*Gomez v. State* - sentencing, mandate enforcement  
*Gregory v. Key West Welding* - appraisal report; rebuttal evidence; collateral source setoff  
*Gonzalez v. People's Trust* - property insurance, cooperation, proof of loss  
*Skupin v. Hemisphere Media* - defamation, tortious interference  
*Santana v. Miller* - employment discrimination, general release  
*Aleman v. Gervas* - breach of contract, individual liability  
*Johnson v. State* - sexual predator designation  
*Jenkins v. Inch* - pro se sanctions  
*Rodriguez v. Scurtis* - certiorari, punitive damages  
*Huber v. Huber* - venue, marital dissolution  
*Gall v. Philip Morris* - prohibition, judicial disqualification  
*Ledo v. RJ Reynolds* - prohibition, judicial disqualification

## Fourth District Court of Appeal - West Palm Beach

*Patchen v. Quadomain Condo Assn* - mootness, attorney's fees, bond  
*Bay v. USAA* - civil remedy notice, waiver  
*Castillo Grand v. Stern* - temporary injunction, findings  
*Cooper v. Rehab Ctr at Hollywood* - arbitration  
*Mitchell v. State* - sentencing, mandatory minimum

*Brown v. State* - sentencing

# Fifth District Court of Appeal - Daytona Beach

*State v. Brown* - double jeopardy, consent, separate trials

*Domino's Pizza v. Wiederhold* - special concurrence; jury instruction, agency

*RJ Reynolds v. Coates* - non-*Engle* progeny, punitive damages, remittitur

*Rojas v. US Bank* - *Spencer* warning, pro se

*Munnerlyn v. State* - criminal, motion for acquittal

*Turner v. State* - criminal, investigative cost

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

*Burton v. State* - postconviction relief

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