

Florida Appeals Court Decisions: Week of October 25 - 29, 2021

October 29, 2021

U.S. Eleventh Circuit Court of Appeals

Autauga Cty Emergency Mgmt v. FCC - 911 calls

Del Valle v. US Secy of State - Consular review, jurisdiction

Ginsburg v. US - tax penalty

Hunstein v. Preferred Collection - FDCPA, standing, dissent

Common Cause v. Ga Secy of State - attorney fees

Florida Supreme Court - Tallahassee

Rogers v. State - capital case, postconviction relief

Fla Bar v. Koepke - attorney discipline

In re Fla R Civ P - amended rules

In re Fla R Crim P - amended rules

First District Court of Appeal - Tallahassee

Craven v. State - jury selection

Richardson v. RV Park Mgmt - employment, FCRA, limitations

Baxter v. Bryan - Appellate affirmance

Casen v. State - certiorari, timeliness

Daniels v. Kelley - appellate jurisdiction, finality

Stephens v. Godwin - mandamus, duty to rule

Jenkins v. State - belated appeal

Shakespeare v. State - appellate jurisdiction, finality

Bryan v. State - ineffective assistance, appellate counsel

Second District Court of Appeal - Lakeland

Morris v. State - sentencing

Am Coastal v. Ironwood - insurance, appraisal

Jacobs v. State - postconviction relief

MMW v. DCF - dependency

Third District Court of Appeal - Miami

College Health v. Depau - default, vacatur

Asgard Fund v. MM80 Oceanside - foreclosure, instrument, amendments

Pardes v. Pardes - equitable distribution

Citizens v. Casanas - insurance, attorney's fees, costs

Callari v. Winkeljohn - punitive damages, *Binger*, expert disclosures

Wheelock v. Betzold - guardianship, fees

Reyes v. Cosculluela - § 57.105, property, nuisance

Babun v. Stok Kon + Braverman - trust, interim fees

Morburger v. Yellow Funding - foreclosure

Miami v. Miami-Dade - mandamus, ch 164, abatement

Moss & Assoc v. Lapin - certiorari, punitive damages

Casanova v. State - certiorari, Stand Your Ground

Fourth District Court of Appeal - West Palm Beach

Da Silva v. State - mandamus, court reporter

Marcellus v. Peterson - dissolution, attorney's fees, amount

State v. Guerra - sentencing

Garcia v. AHCA - Medicaid provider, disqualification, agency discretion

Isola Bella v. Clement - settlement, attorney's fees, prevailing party

Damask v. Ryabchenko - paternity, child support

State Farm v. Hollywood Diagnostics - summary judgment, conclusory affidavit

Comprehensive Spine v. Equity Ins - due process, *sua sponte* dismissal

State v. Dhaiti - withholding adjudication, lenity

Fifth District Court of Appeal - Daytona Beach

Demoura v. Travelers - publish, deposition, opposing party

Loancare v. Chestnut - foreclosure, *sua sponte* dismissal, unpled defenses

Charles v. Williams - paternity, appellate jurisdiction, timely appeal

McEver v. McEver - conceded error; magistrate report and recommendation

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