

Florida Appeals Court Decisions: Week of October 9-13, 2023

October 14, 2023

U.S. Eleventh Circuit Court of Appeals

Lowman v. FAA - Nat'l Environ Policy Act, standing

Wade v. Ga Correctional Health - rehearing en banc granted, vacating *this* decision

Stanley v. Sanford - ADA, postemployment fringe benefits

Johnson v. Lewis - Eighth Amendment, deliberate indifference

USA v. Pate - en banc, retaliatory liens

USA v. Dunn - Speedy Trial Act

Florida Supreme Court - Tallahassee

Univ of Fla BOT v. Carmody - rehearing denied, dissent

In re Fla R App P - amended rules

In re Small Claims R - amended rules

First District Court of Appeal - Tallahassee

Strickland v. Strickland - equitable distribution

Clark v. State - appellate jurisdiction, sentencing

Smith v. Bright - nonbinding arbitration, rule 1.820(h)

McChessney v. Spinnaker Cove HA - appellate jurisdiction, finality

Neal v. Waterfront Rescue Mission - mandamus, requirements

Second District Court of Appeal - St. Petersburg

Jean v. DOC - gain time

CCP H Island v. Manor at H Island - punitive damages amendment

Clark v. State - postconviction relief, trial court requirements

Third District Court of Appeal - Miami

Weiss v. BI 27 - lis pendens, fraud in execution

Spector v. Spector - alimony, factors

Sanchez v. 230 4th Mia Owner - rent

Leben v. Suarez - service of process

Condell v. State - ineffective assistance

Fourth District Court of Appeal - West Palm Beach

Tellam v. State - resisting arrest, elements

Luley v. Danto - confession of error, dismissal, sanction

Chiaravalle v. State - DUI investigation, administrative rule

Fifth District Court of Appeal - Daytona Beach

Green Gables v. AHG Tax - summary judgment, affirmative defenses, reply

Litsch v. Litsch - child custody, UCCJEA

Ganiban v. McManus - certiorari, corporate dissolution, injunction, contempt

Virginia v. State - postconviction relief

Kelly v. State - postconviction relief

Hall v. State - *Spencer* warning, pro se

Sixth District Court of Appeal - Lakeland

Asset Recovery v. Wells Fargo - foreclosure, funds disbursement

Griffen v. State - postconviction relief

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