

# Florida Appeals Court Decisions: Week of September 23 - 27, 2019

September 28, 2019

## U.S. Eleventh Circuit Court of Appeals

*Broward Bulldog v. US DOJ* - FOIA

*US v. Annamalai* - joinder, First Amendment, sentencing

*Playnation Play Systems v. Vexel Corp* - contempt, sanctions

*Callahan v. US DHHS* - organ transplantation network

*Washington v. Rivera* - § 1983, immunity

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*Frasch v. State* - *Brady*, hearsay; withdrawn peremptory challenge

*Williams v. State* - witness tampering, sentencing

*Plummer v. State* - fraudulent construction liens, direct contempt

*Reid v. Saunders* - stalking injunction

*Davis v. Gilchrist Sheriff* - red flag law, firearms; sequestration; trial time limit

*Fla Thoroughbred Breeders v. Calder* - gambling, slots, pari-mutuel racing, constitutional challenges

*Fernandez v. Manning Bldg Supplies* - construction lien, interest rate

*Coto v. Univision/Sentry* - workers' compensation

*Pelham v. State* - belated appeal

*Hall v. State* - sentencing

## Second District Court of Appeal - Lakeland

*Goodman v. State* - probable cause, arrest; search and seizure

*Heatley v. State* - sentencing

*Joiner v. Pinellas* - ad valorem tax, county-owned land, certified question

*de Acosta v. Naples Com Hosp* - medical malpractice, rule 1.820, trial de novo

*Barr v. Thorpe* - appellate jurisdiction

*State v. Lincoln* - certiorari, *Williams* rule

## Third District Court of Appeal - Miami

*Fernandez v. Marrero* - real property, partition, expenses

*Harvard Fin Servs v. Remy-Calixte* - foreclosure, rule 1.540

*Azran Miami 2 v. Deutsche Bank* - foreclosure, business records

*Umana v. Citizens* - summary judgment procedures

*Halmos v. Longstock* - *Applegate* affirmance

*St Juste v. Deutsche Bank* - appellate jurisdiction

*JV Air Maint v. Westwind Leasing* - aircraft, mechanic's lien

*VME Grp v. Grand CA* - temporary injunction, condo rules

*Auguste v. Aguado* - stalking injunction

*Luma v. State* - pro se sanctions

*Johnson v. State* - postconviction relief

*Harlib v. State* - postconviction relief

## Fourth District Court of Appeal - West Palm Beach

*Bejarano v. Hollywood* - jurisdictional limits, aggregation

*Home Ally Fin v. Rosen* - voluntary dismissal, vacate

*Sherman v. Sherman* - costs, standard

*Joseph v. DOR* - notice, address

*KG v. DCF* - delay in ruling on of controlled substances

## Fifth District Court of Appeal - Daytona Beach

*Schultz v. Moore* - injunction, dating violence, sufficient evidence

*Norwood v. State* - drug trafficking, fundamental error, sufficient evidence

*Contardi v. Fun Town* - summary judgment, negligence, fall

*Yancy v. State* - competency, independent assessment

*Burnem v. State* - probation violation, written order

*Taylor v. State* - postconviction relief

*Acevedo v. State* - *Anders*, discretionary costs, fine

*DCF v. Rodriguez* - certiorari, involuntary commitment, substantial evidence

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