

Florida Appeals Court Decisions: Week of April 1-5, 2024

April 05, 2024

U.S. Eleventh Circuit Court of Appeals

Jackson v. Swanger - qualified immunity, search and seizure, appellate jurisdiction

USA v. Al Jaber - smuggling, notifying common carrier, false export info, evidence, double jeopardy

Flowers v. Comm'r, SSA - disability benefits, inconsistent determinations, preservation of error

Al Zawawi v. Diss - bankruptcy, § 109(a), foreign proceedings

USA v. Handlon - compassionate release

USA v. Vargas - speedy trial

USA v. Alhindi - competency, criminal defendants, § 4241

Florida Supreme Court - Tallahassee

Planned Parenthood v. State - right to privacy, abortion, 15-week ban

Adv Op to AG re Marijuana - ballot initiative, validity

Adv Op to AG re Abortion - ballot initiative, validity

First District Court of Appeal - Tallahassee

TT v. DCF - parental rights, termination, failure to prosecute

UF BOT v. Browning Boisse - sovereign immunity

Byrd v. State - drug trafficking, evidence, recording

Lussy v. Dept of Legal Affairs - appellant's burden

Aristizabal v. DOR - Applegate affirmance

Davis v. State - belated appeal

RLG v. DCF - parental rights, termination, failure to prosecute

Peek v. FCOR - appellate jurisdiction

Second District Court of Appeal - St. Petersburg

Lydecker v. State - rape shield statute, cross-exam

McNulty Lofts v. WRH McNulty Garage - real property, ejectment

Rich v. Rich - contempt, previously reversed order

Hanover Ins v. Frazier - insurance, malicious prosecution, insurer immunity

Citizens v. Barberan - insurance, sinkhole coverage, burden of proof jury instructions

Foster v. State - sentencing

Helmick v. Taylor - marital settlement agreement, third-party beneficiary

CM v. AM - appellate jurisdiction, sanctions entitlement order

Navarro v. State - postconviction relief, pending appeal

Fantauzzi v. Day - § 57.105 fees, notice, due process

Wood v. State - habeas corpus

Third District Court of Appeal - Miami

Seneca v. Jade Beach CA - pleading, impairment of subrogation rights

Cordovi v. State - continuance, hearsay

Castellon v. Citizens - summary judgment standard

Ramash Realty v. Certain Underwriters - policy interpretation, deductible

Navarro v. Borges - duty

Universal v. Nacimiento - hearsay

Lemano Invs v. RGF Athena - superior claim to title

Pimienta v. Rosenfeld - prohibition, disqualification of judge

Facebook v. Grind Hard - personal jurisdiction, tortious acts

Borchetta v. Hankins - defamation, publication

Pro-Play Games v. Roger - arbitrability, contractual nexus, waiver

Sotolongo v. State - postconviction relief

Pino-Allen v. Egan - defamation, privilege

Fourth District Court of Appeal - West Palm Beach

Ramirez v. Marzano - ex parte relief, due process

HS v. DCF - judicial disqualification, pre-hearing comments

Goldsmith v. State - witness bolstering, harmless error

[Chewy v. Covetrus](#) - certiorari, deposition, apex doctrine

[Perez v. Tony](#) - search and seizure

[Jefferson v. State](#) - sentencing

Fifth District Court of Appeal - Daytona Beach

[Brooks v. State](#) - Anders appeal, costs

[Jackson v. State](#) - first-degree murder, sexual battery, prior bad acts

[Casado v. Doher](#) - vacate judgment, rule 1.540(b)

[Trammell v. State](#) - habeas corpus

[Fluhart v. Rasmussen](#) - en banc; jurisdiction, preservation, rule 12.490(e)(3)

Sixth District Court of Appeal - Lakeland

[Rowan v. State](#) - sentencing

[Bean v. State](#) - probation revocation

[Johnson v. Garrett](#) - premises liability, duty

[LA v. DCF](#) - termination of parental rights

[O'Hair v. O'Hair](#) - marital settlement agreement

[Marlin Constr Grp v. Bollinger](#) - licensing, statutory construction

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