

# Florida Appeals Court Decisions: Week of May 13-17, 2024

May 17, 2024

## U.S. Eleventh Circuit Court of Appeals

(11th Circuit written opinions archive) *In re Baycare* - mandamus, Patient Safety & Quality Improvement Act, document disclosure

*Lange v. Houston Cnty Ga* - insurance, transgender coverage, Title VII

*Drazen v. Pinto* - class action, approval, collusion, TCPA, CAFA

## Florida Supreme Court - Tallahassee

(Florida Supreme Court written opinions archive) *Askew v. DCF* - conflict jurisdiction, misapplication  
*In re Fla R Civ P* - amended rule 1.061

*Ford v. Marceno* - pro se sanctions

## First District Court of Appeal - Tallahassee

(1st DCA written opinions archive) *Cooper v. State* - coercive interaction, judge and jury; recalling jury

## Second District Court of Appeal - St. Petersburg

(2d DCA written opinions archive) *Berkley Ins v. Banc of Am* - tortious interference, premature fee award

*Univ P&C v. Laguna Riviera* - condo legislation, retroactivity, vested rights, certified conflict

*ANW v. State* - indirect criminal contempt

*Williams v. Bambery* - prohibition, sua sponte appointment to investigate guardian

*Parks v. State* - postconviction relief

*Andrews v. State* - Franks hearing, search and seizure

## Third District Court of Appeal - Miami

(3d DCA written opinions archive) *Grove Harbour v. Grove Bay* - rehearing, fraud

*Rainess v. Perez* - tax deed sale, notice

*Cobb v. State* - postconviction relief

*Mia Beach v. Guyton* - dismissal of charge, concurrence

*Pla v. Rierson* - comparative negligence, evidence, impeachment

*Safe Harbor v. 9775 Dixie* - foreclosure, specific performance, default

*5051 NW 37 Ave v. IES Sales* - writ of possession, rent

*Abreu v. Aurora Loan* - settlement agreement enforcement, jurisdiction

*Uni of Mia v. Jones* - certiorari, medical malpractice, presuit notice

*Heritage v. Sunset Villas* - appraisal, evidentiary hearing

*Starr v. Sch Distr* - substantial interests, administrative hearing

*Carnevale v. Shir* - mandamus, ministerial duty

## Fourth District Court of Appeal - West Palm Beach

(4th DCA written opinions archive) *Lucas v. State* - restitution, SATC

*Williams v. School Board* - discrimination, retaliation

*Deasy v. Deasy* - equitable distribution, alimony

*Lemartec Corp v. E. Coast Metal* - attorney's fees

*Moore-Bryant v. State* - preservation, speculation

*Padilla v. Pickett* - domestic violence injunction

*Mackensen v. Trace Elements* - attorney's fees, PFS, apportionment

*State v. Jenkins* - speedy trial, waiver

*US Fire Ins Co v. America Walks* - arbitration

*Reed v. Reed* - dissolution, lack of prosecution

## Fifth District Court of Appeal - Daytona Beach

(5th DCA written opinions archive) *S Marion Real Est v. Fla Gaming Ctrl* - administrative law, cardroom license-holders, gambling

*Davis v. State* - Anders appeal, cost of investigation

*S Wild Olive v. Total Maintenance* - section 57.105, fees

[Gray v. State](#) - Spencer warning, pro se

# Sixth District Court of Appeal - Lakeland

([6th DCA written opinions archive](#)) [Pradaxay v. Kendrick](#) - medical malpractice, presuit investigation

[Shure v. AAOS](#) - verbatim adoption of proposed order

[Kaiu v. State](#) - postconviction relief

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