

# Florida Appeals Court Decisions: Week of May 6-10, 2024

May 10, 2024

## U.S. Eleventh Circuit Court of Appeals

(11th Circuit written opinions archive) *Sam's West v. Silverman* - piercing corporate veil, summary judgment

## Florida Supreme Court - Tallahassee

(Florida Supreme Court written opinions archive) *Ripple v. CBS* - Wrongful Death Act, surviving spouse

*In re Fla R Crim P* - amended rule

*In re R Reg Fla Bar* - amended bar rules

## First District Court of Appeal - Tallahassee

(1st DCA written opinions archive) *Aboagye v. State* - hearsay, child victim

*Ford v. State* - murder, depraved mind

*Girardin v. AN Ft Myers Imports* - workers' compensation

*Porter v. State* - murder, depraved mind

*Schaffner v. DOH* - administrative review, preservation, rehearing requirement

*Rollins v. State* - trespass on school grounds

*Rachowicz v. FWCC* - administrative review, suspended endorsement, stone crabs

*Wood v. State* - sentencing, costs

*Lofton v. State* - postconviction relief

*Davidson v. State* - postconviction relief

*Harrell v. Friend* - parenting plan, modification

## Second District Court of Appeal - St. Petersburg

(2d DCA written opinions archive) *Seay v. State* - presence at trial, fundamental error  
*Youth & Family Alt v. DT* - dependency, record, access, charges  
*Estate of Feliciano v. Rivertree Landing* - negligence, duty, body-of-water rule  
*Dupree v. State* - postconviction relief  
*State v. Domenech* - probable cause, computer search  
*Jenkins v. State* - postconviction relief

## Third District Court of Appeal - Miami

(3d DCA written opinions archive) *Gil v. State* - probable cause, evidence  
*Fayad v. Uni of Mia* - fraudulent inducement, breach of contract, evidence  
*Davis v. State* - ineffective assistance  
*Silva v. State* - criminal mischief, evidence  
*CG Tides v. SHEDDF3 VNB* - foreclosure, summary judgment, retroactive default interest  
*Zacarias v. Aguilar* - settlement agreement, enforceability  
*ALM v. State* - possession of concealed firearm, evidence  
*Baumann v. Agudelo* - child support, attorney's fees, insufficient record  
*Lumech v. Union Ventur* - personal jurisdiction, waiver  
*JAC v. Wahid* - certiorari, court-appointed counsel, attorney's fees  
*Drayton v. State* - postconviction relief  
*Gallon v. Green* - habeas, bond, evidence

## Fourth District Court of Appeal - West Palm Beach

(4th DCA written opinions archive) *Desbrunes v. US Bank* - foreclosure, homestead  
*Stellato v. Stellato* - marital dissolution, child support  
*Trader v. State* - severance; sexual abuse offenses  
*Magneson v. State* - tampering, physical evidence  
*Soto v. Franklin Acad* - charter school, § 768.28(6)(a), condition precedent  
*Johnson v. Marcus* - trusts, separate action, § 736.0201(1)  
*Michaels v. Johnson* - dismissal, *Kozel* factors, sanction

## Fifth District Court of Appeal - Daytona Beach

(5th DCA written opinions archive) *Elsawaf v. Elawaf* - dissolution; withdrawal, pro se continuance  
*Carver v. State* - postconviction relief

[Garcia v. State](#) - Anders appeal, scrivener's error

# Sixth District Court of Appeal - Lakeland

(6th DCA written opinions archive) [MacPherson v. MacPherson](#) - marital equitable distribution

[Finch v. Auto Club Ins Co](#) - venue selection

[JF v. DCF](#) - juvenile dependency, determination of abuse

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