

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. Elsayaf* - 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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