

Florida Appeals Court Decisions: Week of August 5 - 9, 2019

August 10, 2019

U.S. Eleventh Circuit Court of Appeals

Yarbrough v. Decatur Housing Auth - §1983, Housing Act

Ali v. US - immigration

Luxottica Group v. Airport Mini Mall - Lanham Act

Dear v. Q Club Hotel - condo declaration

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Burnsed v. FCOR - internet access, conditional release, *Packingham*

Livingston v. State - ineffective assistance, uncalled witness, certified question

Conner v. Moran - small claims court; mandamus, trial setting

DOC v. Miami Herald - prison video recordings, media access

Maxwell v. Inch - habeas corpus

Cannie v. State - jurisdiction pending 3.800 appeal

Baity v. State - excited utterance

DePinto v. Hoffman - vexatious litigant

JJ v. DACS - license revocation

Pembelton v. State - postconviction relief

Ferrera-Discua v. State - prohibition, Stand Your Ground

Second District Court of Appeal - Lakeland

Allen v. Juul - marital dissolution, fees, findings, certified conflict

Summers v. State - fines, identifying authority

Beck v. Howard - parental custody

DiStefano v. Long - dating violence injunction

Abdo v. Abdo - constructive trusts, jurisdiction; shareholder derivative claim

Third District Court of Appeal - Miami

Safepoint Ins v. Brown - rule 1.442, settlement proposal

Chavez v. Tower Hill - res judicata, insurance claim

George v. DOC - restitution lien

Trust RE Ventures v. Desnick - summary judgment, discovery pending

Young Land v. Credo - real property, quiet title, extinguishment

Greene v. Johnson - arbitration

McCray v. State - postconviction relief

Rinconcito Latino Cafe v. Ocampos - rule 1.540, evidentiary hearing

State Farm v. Caribbean Rehab - second-tier certiorari, circuit court appellate fees

Baptiste v. State - postconviction relief

Gallo v. State Farm - second-tier certiorari, PIP benefits, unlawfulness defense

Fourth District Court of Appeal - West Palm Beach

Puzio v. State - sentencing

Garcia v. State - sentencing

Price v. State - search and seizure; sentencing

Universal Property & Casualty Ins v. Loftus - Condominium Act; negligence; tenants

People's Trust Ins v. Nowroozpour - counterclaim; injunction; dismissal

Progressive Express Ins v. Belidor - venue

State v. Kigar - general intent crime; advice of counsel defense

Fifth District Court of Appeal - Daytona Beach

Ray v. State - postconviction relief

Rios v. State - *Miranda*

R & W Rental Props v. Warnick - mistrial, isolated comment

Cruz v. Community Bank - breach of trust, standing

Monts v. State - cross-examination, scope

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