

# Florida Appeals Court Decisions: Week of August 8 - 12, 2022

August 12, 2022

## U.S. Eleventh Circuit Court of Appeals

*AFC Franchising v. Purugganan* - forum selection clause, concurrence

*Cabrera LLC v. Teck Resources* - Helms-Burton, personal jurisdiction

*Diaz v. Sec'y Homeland Sec* - naturalization

*K.Y. v. US Att'y Gen* - removal, immigration

*MSPA Claims 1 v. Tower Hill Prime Ins* - limitations

*Stewart v. Hartford Life & Accident Ins Co* - disability benefits

*Victor Elias Photography v. Ice Portal* - copyright

*US v. Pate* - false liens, dissent

*US v. Witt* - new trial, sentencing

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*DOC v. Gould* - certification denial, en banc

*Reynolds v. State* - murder, evidence, graphic photos, closing argument

*Chang v. Local 1403* - appellate jurisdiction, administrative, fees without amount

*Woodward v. State* - probation revocation

*AW v. DCF* - dependency

*Gradia v. Baptist Hosp* - hospital, physician, agent

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

*Adams v. Dixon* - mandamus, duty to rule

*Holland Ware Found v. Tamez Pine Straw* - temporary injunction, evidence

*Rivers v. State* - sentencing

## Second District Court of Appeal - Lakeland

*Decola v. State* - postconviction relief

## Third District Court of Appeal - Miami

*Hess v. PMG-S2* - summary judgment, amending pleadings

*1st Med & Rehab v. Allstate* - PIP, summary judgment, no affidavit

*Sunshine Rehab v. Allstate* - PIP, summary judgment, affidavit

*Shir Law Grp v. Carnevale* - sanction, due process

*Karan v. Pernia* - rule 1.540, excusable neglect

*United Auto v. Best Am Diagnostic* - collateral estoppel

*Loginov v. Samoilova* - Russian divorce, community debt, lien

*Lopez v. Miami-Dade* - ordinance violation, no duty

*Vericker v. Powell* - certiorari, anti-SLAPP, certified conflict

*Cini v. Cabezas* - prohibition, judicial disqualification, fundraising

*Alvarez v. State* - sentencing, trial court jurisdiction pending appeal

*Alvarez v. DOH* - administrative, emergency rule, butt lifts

## Fourth District Court of Appeal - West Palm Beach

*Philip Morris v. Gore* - rehearing denial, dissent, attorney's fees

*Walk v. State* - sentencing

*Hanopole v. State Farm* - PIP, assignment of benefits, rule 1.130

*Ivory v. State* - sentencing, costs

*Mold Buster v. Citizens* - insurance, assignment of benefits

*Copeland v. State* - sentencing, costs

*Gromann v. Avatar* - summary judgment, affidavit, personal knowledge

*Francois v. State* - rehearing, probation conditions

*Comisar v. Heritage* - insurance, declaratory relief, dismiss

*Perez v. Citizens* - insurance, duty to notify, summary judgment

*Compounding Docs v. SCSC Enter* - dissent, temporary injunction, bond amount

*Mech v. Brazilian Waxing* - rule 1.510(a), small claims, reasons for ruling

## Fifth District Court of Appeal - Daytona Beach

*Batta v. State* - felony battery, violent career criminal, sentence

*At Home Auto v. Mendota Ins* - venue, forum non conveniens

*Payet v. State* - Anders appeal, sentence

*Wright v. State* - postconviction relief

*Walker v. State* - jail credit

*McMasters v. State* - Anders appeal, corrected judgment

*Booth v. State* - Spencer warning, pro se

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