

Florida Appeals Court Decisions: Week of December 27 - 31, 2021

December 31, 2021

U.S. Eleventh Circuit Court of Appeals

US v. Sharp - waiver, ACC

Klaas v. Allstate - life insurance, concurrence

Gil v. Winn-Dixie - mootness, rehearing

Hewitt v. IRS - taxes, APA

Yates v. Pinellas Hematology & Oncology - FCA, excessive fines, dissent, concurrence

US v. McAvoy - FCA, concurrence, call for en banc review

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Seaside Town Council v. Seaside Comm'y Devel - standing, neighborhood associations

Berrios v. DOC - certiorari, prisoners, equal protection

Hayes v. State - habeas corpus

Jackson v. State - postconviction relief

Tejeda v. Hialeah - workers' compensation

Second District Court of Appeal - Lakeland

Naples v. Chops City Grill - premises liability, control

Drejka v. State - murder, evidence, closing argument, site view

Scott v. State - sentencing

Naples Estates v. Glasby - unpaid rent, damages, evidence

State v. Smith - sentencing

Kalke v. Kalke - trial continuance

Harris v. State - sentencing

Shamburger v. Washington - election, residency challenge

Third District Court of Appeal - Miami

Hernandez v. Citizens - *Kozel*, evidentiary hearing

Redhammer v. ASI - insurance, appraisal

GE Real Estate v. Mandich Real Estate - broker, tortious interference, conspiracy

Enviropower v. Ritger - deficiency judgment, evidentiary hearing

Damas v. Rappleye - rule 1.440, trial date, continuance

Roberts v. State - sentencing

Dupree v. Dellmar - mandamus, county court jurisdiction

Fourth District Court of Appeal - West Palm Beach

No decisions this week.

Fifth District Court of Appeal - Daytona Beach

Meraz v. Meraz - certiorari, county court

Pine v. State - obscene materials, minor, public danger

Bathke v. Costley - dissolution, tax consequences, interest

Schreiber v. Schreiber - dissolution, fees, substantial evidence

Williams v. State - Prison Releasee Reoffender Act, constitutionality

Vedder v. State - resentencing

Figueroa v. State - investigative cost

Ray v. State - postconviction relief

Dumas v. State - prohibition, disqualification

Batiz v. State - *Spencer* bar, pro se

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

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