

# Florida Appeals Court Decisions: Week of December 3 - 7, 2018

December 08, 2018

## U.S. Eleventh Circuit Court of Appeals

*Calixto v. Lesmes* - Hague Convention on Child Abduction

*Hi-Tech Pharm v. HBS Intl* - deceptive advertising, Lanham Act

*US v. Barton* - Daubert

*Transcontinental Gas Pipe Line v. Cochran* - Natural Gas Act

*In re Dukes* - bankruptcy

*Curtis Inv Co v. IRS* - tax

## Florida Supreme Court - Tallahassee

*In re Std Jury Instr (Crim)* - amended instructions, corrected

*In re Fla R Juv Pro* - amended rules

*Foster v. State* - capital case, postconviction relief

*In re Std Jury Instr Contracts* - amended instructions

*In re Fla R App P* - amended rules

## First District Court of Appeal - Tallahassee

*State v. Williams* - probation violation

*Keystone Airpark v. Pipeline* - rule 1.442, settlement proposal

*Cannie v. Wilmington Sav* - belated appeal

## Second District Court of Appeal - Lakeland

*Maki v. Green Tree Serv* - foreclosure, standing

*Graham v. State* - bolstering, unpreserved error

*Palmateer v. Palmateer* - equitable distribution, pension plan

*Mayo v. Mayo* - indirect criminal contempt

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## Third District Court of Appeal - Miami

*Rodriguez v. State* - hearsay, state of mind, harmless error

*Rizk v. Rizk* - probate, will, revocation

*Aquasol CA v. HSBC* - appellate sanctions

*Miami v. AirBnB* - injunction, short-term rentals

*Condotte v. P & S Paving* - contract damages

*Graham v. Flamingo Way* - rule 1.540, evidentiary hearing

*DOR v. de la Bagassiere* - child support modification, preservation of error

*Elso v. DHSMV* - second-tier certiorari, license suspension

*Ultra Aviation v. Cruz Clemente* - partial final judgment, appellate jurisdiction

*Llanos v. Huerta* - certiorari, paternity

## Fourth District Court of Appeal - West Palm Beach

*Sayles v. Nationstar Mortgage* - foreclosure, judicial notice

*Marsh v. RJ Reynolds* - comparative negligence

*Hinck v. State* - excited utterance

*Subramanian v. Subramanian* - attorney's fees, vexatious litigation

*State v. Wright* - juvenile, mandatory minimum

*Seaspray Resort v. UCF I Trust* - foreclosure, sequestering rents

## Fifth District Court of Appeal - Daytona Beach

*Richards v. State* - investigatory costs, sua sponte

*Eckols v. 21st Century* - UM benefits, ambiguity

*FirstService v. Rodriguez* - certiorari, work product, preservation

*Williams v. State* - postconviction relief

*Wright v. Wright* - prohibition, disqualification

*Dodd v. State* - habeas corpus

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