

# Florida Appeals Court Decisions: Week of December 4 - 8, 2023

December 09, 2023

## U.S. Eleventh Circuit Court of Appeals

*A1A Burrito Works v. Sysco Jax* - Poultry Products Inspection Act, preemption

*Baldwin v. Express Oil Change* - Ga Restrictive Covenants Act, reasonable presumptions

*Sweetapple v. Asset Enhancement* - bankruptcy, final order, appellate jurisdiction

## Florida Supreme Court - Tallahassee

*In re Fla R Civ P* - amended rules

*In re Fla R Crim P* - amended rules

*In re Fla R Juv P* - amended rules

## First District Court of Appeal - Tallahassee

*EJS v. DCF* - parental rights appeal, failure to prosecute

*Rivas v. State* - fundamental error, evidence

*Daughthrey v. State* - sentencing

*DAN v. State* - sanctions, appellate counsel

*Madson v. State* - trial court jurisdiction pending appeal

*Cruz v. Byrd* - appellate jurisdiction, nonfinal dismissal

*Leo v. Gregory* - appellate jurisdiction, granting summary judgment motion

*DDD Constr v. Weseman Develop* - warning to counsel, mislabeled emergency filings

## Second District Court of Appeal - St. Petersburg

*Fla Gulf Coast Ch Builders v. St Pete* - new summary judgment standard, reasons required

*Stuart v. State* - expunction, authority to refund costs, fines, and fees

[MDM v. State](#) - hearsay, spontaneous statement

## Third District Court of Appeal - Miami

[Torres v. SBE Hotel Grp](#) - appellate jurisdiction, nonfinal order

[Farmer v. State](#) - competency hearing

[Grozdanovic v. Alliance RE Holdings](#) - appellate jurisdiction, final order

## Fourth District Court of Appeal - West Palm Beach

[Kandler v. State](#) - guilty plea, right to appeal

[State v. Hubbs](#) - text messages, relevance, bad acts, intertwined

## Fifth District Court of Appeal - Daytona Beach

[McGlothin v. McDonald](#) - punitive damages, intentional misconduct, gross negligence

[Hayden v. State](#) - aggravated battery, preservation, fundamental error

[King v. State](#) - criminal, cost order

[Gaffney v. State](#) - double jeopardy, § 775.021(4)

## Sixth District Court of Appeal - Lakeland

[Costello v. Olson](#) - contract construction, arbitration provision

[Arena v. State](#) - appellate jurisdiction

[Windsor v. Longest](#) - summary disposition

## Related Practices

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