

# Florida Appeals Court Decisions: Week of February 4 - 8, 2019

February 09, 2019

## U.S. Eleventh Circuit Court of Appeals

*Al-Rayes v. Willingham* - RICO

*Ray v. Ala DOC* - stay of execution, RLUIPA

*Paez v. Mulvey* - qualified immunity

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*McGee v. McGee* - lack of transcript; child support

*Von Young v. State* - burglary, robbery

*Banks v. State* - probation revocation

*Forehand v. State* - certiorari, circuit court appeal, dismissal

*Lantz v. State* - character evidence, homicide instruction, premeditation

*Lagi v. State* - appellate jurisdiction, psych evaluation denial

*Rawson v. Rawson* - alimony, child support, fees

*Cassesus v. State* - plea withdrawal

*Lizzmore v. Lizzmore* - alimony

*Hutsell v. Hutsell* - domestic violence injunction

*Hill v. State* - prohibition

*Kanter Real Estate v. DEP* - administrative review, oil well permit

*Walker v. State* - sexually violent predator, evaluation

*Sarazin v. Sarazin* - equitable distribution, alimony, fees

*Barbesco v. State* - postconviction relief

*Fla Gas v. Johnson* - eminent domain, fees

*Giles v. State* - ineffective assistance, appellate counsel

*Pitts v. State* - *Williams* rule, character evidence

*Leonard v. State* - postconviction relief

*McCullum v. State* - sentencing

## Second District Court of Appeal - Lakeland

*Matthews v. Matthews* - equitable distribution

*Verizon Wireless v. Bateman* - arbitration

*Pierce v. Pierce* - trial court jurisdiction pending appeal

*In re Butler* - parental timesharing

*ET v. DCF* - dependency

## Third District Court of Appeal - Miami

*State v. Wong* - certiorari, 12-person jury

*Zurich v. Puccini* - insurance, implied co-insureds, commercial lease

*Gonzalez-Barrera v. Majorca Towers* - injunction, condominium, pleading

*Mendez v. Mendez Lopez* - chapter 751, substitute parent

*Alvarez-Reyes v. Fernandez-Gil* - imputed income, alimony

*MDXQ v. Miami-Dade* - mandamus, county comprehensive plan

*Golde v. Placentra* - summary affirmance

*Osechas v. Arcila* - certiorari, punitive damages

*Dade Truss v. Beaty* - certiorari, work product, privilege log

*EU v. DCF* - summary affirmance

## Fourth District Court of Appeal - West Palm Beach

*Grosso v. HSBC Bank* - foreclosure, attorney's fees

*Yost-Rudge v. A to Z Props* - homestead, marital property

*Feliciano v. State* - postconviction relief

*Rincon v. State* - false verification

*Roussell v. Bank of NY* - foreclosure, standing

*Sirmons v. State* - time served

*Pagliari v. Pagliaro* - ratification

*Venezia v. JP Morgan* - foreclosure, attorney's fees

*RJ Reynolds v. Alonso* - disqualification, ex parte communications

# Fifth District Court of Appeal - Daytona Beach

*RJ Reynolds v. Sheffield* - certified conflict, *Engle*, punitive damages

*Gould v. State* - withdraw plea, ore tenus

*Howitt v. State* - DUI tests, refusal, suppression

*Benabe-Rivera v. State* - *Spencer* bar, pro se filings

*Chaudhry v. Pedersen* - dismissal, breach of contract, necessary party

*Sanders v. State* - probation, revocation

*Espinoza v. State* - sentencing

*Barker v. State* - *Spencer* bar, pro se filings

*Denegal v. State* - sentencing

*JM v. State* - concession of error

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