

# Florida Appeals Court Decisions: Week of July 22 - 26, 2019

July 27, 2019

## U.S. Eleventh Circuit Court of Appeals

*Corbett v. TSA* - standing

*Ace Am Ins v. Wattles Company* - insurance

*Weeks v. US* - sentencing, ACCA

*FDIC v. Loudermilk* - apportionment, negligent loans, intervening cause

*In re Hammoud* - sentencing, successive motions

*Crowley Maritime v. National Union* - insurance

*McAdams v. Jefferson Cty 911* - ADA, sovereign immunity

*KT v. Royal Caribbean Cruises* - maritime negligence, judicial notice

*Highpoint Tower Tech v. IRS* - tax

*In re Home Depot Data Security Breach* - attorney's fees

*In re Cannon* - sentencing, successive motions

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*Jones v. State* - criminal restitution

*Moorer v. State* - justifiable deadly force, aggressor instructions

*Clarke v. DFS* - workers' compensation

*Herman v. Bennett* - probate, claim, timeliness

*Stewart v. Stewart* - equitable distribution

*Howard v. State* - plea withdrawal

*McDaniels v. McDaniels* - alimony, contempt

*Austin v. State* - postconviction relief

*Hallman v. State* - probation revocation  
*RCO v. State* - aggravated battery, lesser included  
*Hicks v. State* - certiorari, patient-psychotherapist privilege  
*Shannon v. Smith* - stalking injunction  
*Johnson v. State* - postconviction relief  
*Rupp v. State* - postconviction relief  
*Edwards v. Inch* - mandamus, prerequisites  
*Destin Pointe OA v. Parcel 160* - summary judgment orders, form  
*Porter v. State* - confession, corpus delicti  
*Alcazar v. State* - competency  
*Paul v. State* - hearsay, sentencing  
*Mattox v. State* - sentencing  
*Dupree v. State* - fleeing law enforcement vehicle  
*Sanchez v. GEICO* - jury selection, preservation of error  
*Bank of NY v. One Seagrove* - Appellate affirmance  
*Gomez v. State* - habeas corpus, ineffective assistance  
*Davis v. State* - probation revocation  
*State v. Jackson* - juvenile sentencing, appellate jurisdiction

## Second District Court of Appeal - Lakeland

*Wells Fargo* - foreclosure, standing, paragraph 22  
*Rivera v. Bank of NY* - foreclosure, paragraph 22  
*Alford v. State* - sentencing, First Amendment  
*Dobbins v. State* - burglary, constructive possession  
*Thornton v. State* - sentencing  
*Heredia v. John Beach* - workers' compensation immunity

## Third District Court of Appeal - Miami

*Beal v. State* - jury selection  
*Tropical Trailer v. Miami-Dade Expw'y* - trailer tolls, injunction  
*Sidlosca v. Olympus Ins* - s. 57.105 fees, voluntary dismissal  
*Iglesias v. Hialeah* - Whistleblower Act, noneconomic damages  
*Porras v. Wachovia* - foreclosure, void judgment  
*Brito v. Heritage* - home insurance, res judicata  
*Weisser Realty v. Porto Vita* - assessments lien, summary judgment  
*Ingraham v. State* - postconviction relief  
*Milton v. State* - plea withdrawal  
*Hart v. Hart* - civil contempt  
*State Farm v. Sanders* - certiorari, appraisal, disqualification

*Owens v. State* - habeas corpus

# Fourth District Court of Appeal - West Palm Beach

*Adams v. State* - hearsay; Confrontation Clause

*Ft Lauderdale v. Hinton* - appellate jurisdiction; sovereign immunity

*State v. Tigner* - search and seizure

*DN v. DCF* - termination; parental rights

# Fifth District Court of Appeal - Daytona Beach

*Williams v. State* - murder, juvenile sentencing

*Caraballo v. State* - child pornography

*Helvey v. State* - postconviction relief

*NJ v. State* - unlawful search, suppression

*Geiger v. State* - driving with revoked license, statute

*Wilmington Savings v. Contreras* - foreclosure, dismissal

*Davidson v. State* - postconviction relief

*Ferrer v. Ferrer* - certiorari, Spencer warning

*Collection v. Patel* - 1.540(b)(5), equitable powers

*Hickson v. State* - postconviction relief

*Redden v. State* - postconviction relief

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