

Florida Appeals Court Decisions: Week of June 19 - 23, 2023

June 24, 2023

U.S. Eleventh Circuit Court of Appeals

Benning v. Ga DOC - § 1983, email interception, constitutional challenges

Travelers v. Ocean Reef - property insurance, expert witness

Health Freedom Def Fund v. President - Covid-19, mask mandate, mootness

Thomas v. Broward Sheriff - appellate standing; jury findings, Rule 39(c)

Nuvasive v. Absolute Med - arbitration, fraud, vacatur

USA v. Gonzalez - sentencing

Am Builders Ins v. Southern-Owners Ins - Fla law, insurance, bad faith

Florida Supreme Court - Tallahassee

In re R Reg Fla Bar - bar rules, amendments

Warren v. DeSantis - quo warranto, unreasonable delay

First District Court of Appeal - Tallahassee

Friesen v. FHP - workers' compensation

Ortiz v. DOC - PERC, drug testing

Wade v. State - postconviction relief

Storey Mountain v. Freestone Enter - equitable receivership

Second District Court of Appeal - St. Petersburg

Thomas v. State - improper testimony, ultimate issue

Goknar v. Goknar - fees for fees

Fletcher v. Bennett - guardianship, fees

Kaye v Wilson - domestic violence injunction

Greenspire Global v. Sarasota Green Gp - punitive damages amendment

KMG v. DCF - parental rights, termination

Miller v. State - postconviction relief

Allison v. Allison - child support

State v. McNeela - search and seizure

Third District Court of Appeal - Miami

Castro v. Citizens - prompt notice, presumption of prejudice

Nadell v. Hursey - prohibition, Stand Your Ground, civil action, certified question

Fourth District Court of Appeal - West Palm Beach

Bank of NY v. Kardok - foreclosure, standing, lost note

Seven Kings v. Marina Grande - declaratory judgment, easement

Savoy v. American Platinum - summary judgment, affidavit, personal knowledge

Thayer v. Hawthorn - warranty deed, homestead, waiver

Napleton's v. Agosto - punitive damages, amendment, managing agent

King v. King - marital dissolution, proposed order, adoption verbatim

Brown v. Regan - constructive trust, summary judgment, rule 1.510

Pyrinova v. Doyle - temporary injunction, bond, intervention

Fifth District Court of Appeal - Daytona Beach

Lord v. Fednat Ins - § 624.155(5), punitive damages

Cummings v. State - Anders appeal, costs

Miller v. State - Spencer warning, pro se

Johnson v. State - criminal, discharge counsel

Pierre v. State - Spencer warning, pro se

Martinez v. State - postconviction relief

AJM v. State - habeas corpus, secure detention

Sixth District Court of Appeal - Lakeland

Avatar Props v. Gundel - HOA assessments, statutory construction

Jones v. State - official misconduct, falsifying records

Smith v. Babcock – nonfinal appellate jurisdiction, summary judgment

Hannah v. Malk Holdings – directed verdict, civil theft

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