

Florida Appeals Court Decisions: Week of March 13 - 17, 2023

March 17, 2023

U.S. Eleventh Circuit Court of Appeals

Ilias v. USAA Gen Indem - insurance, Florida, bad faith

USA v. Clowers (aka Boo Boo, DOG) - First Step Act, sentencing

Harris-Billups v. Anderson - Fourth Amendment, excessive force, video

PDVSA US Litig Trust v. Lukoil Pan Am - political questions

Drazen v. Pinto - en banc, vacating *this* decision, class actions, standing

USA v. Downs - child pornography, commerce, evidence, dismissing unsworn jury

Florida Supreme Court - Tallahassee

In re R Reg Fla Bar - significant bar rules amendments

Green v. Dixon - pro se sanctions

In re Fla R App P - amended rules

In re Fla R App P - amended rules

Sanchez-Torres v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

TD v. DCF - parental rights, dismissal, failure to prosecute

Anderson v. State - belated appeal

Second District Court of Appeal - St. Petersburg

Jolly v. State - sentencing

SS v. Sarasota Sch Bd - sexual abuse, limitations, government defendant

Hogg v. Village of Bloomingdale HA - declaration, reformation, limitations period

Upshur v. State - ineffective assistance, appellate counsel, sentencing

Third District Court of Appeal - Miami

Mazda v. Triche - personal jurisdiction, minimum contacts

First Baptist Miami v. Miami Baptist - dismissal, sanction

Full Pro Restoration v. Citizens - summary judgment procedure

State v. Quevaedo - Stand Your Ground

Rankin v. Lounsbury - paternity, parenting plan

Aguilar v. State - postconviction relief

Hawks Nest Condo v. Westchester - insurance, prejudgment interest

Willis v. Accenture - FCRA, right-to-sue notice

Total Care Restoration v. Citizens - insurance, assignment of benefits

Oliva v. Oliva - procedural due process, child support

Parisi v. Quadri de Kingston - power of attorney

S and A v. Garcia - property assessment, ownership change, lost cap

Vega v. Citizens - summary judgment, contract interpretation

Fourth District Court of Appeal - West Palm Beach

Stirberg v. Fein - rule 1.540, fraud, trust reformation, homestead

Peart v. State - "Principals" instruction, preservation, fundamental error

DiMauro v. Martin - specific performance, mutuality of remedies

Fed Nat Mortg v. Trinidad - foreclosure, collateral estoppel

Jones v. Vasilias - negligent employment, vicarious liability

Sage v. Pahlavi - real estate contract, nondisclosure, due diligence

Zagarella v. State - self-representation, standby counsel, battery

Destiny Fulfilled v. Inv SWK - attorney's fees, commercial tenancy

Moritz v. Stonecipher - paternity, custodial rights

Destiny Fulfilled v. Inv SWK - eviction trial, stay, waiver

Cohen v. State - postconviction relief

Feast v. State - postconviction relief

Fifth District Court of Appeal - Daytona Beach

Welch v. CHLN - summary judgment, constructive knowledge

Mills v. State - special concurrence; ineffective assistance, trial

Miller v. Schramer - confession of error, default

Milling v. State - *Spencer* warning, pro se

Pierre v. State - special concurrence; post-conviction, DNA testing

Sixth District Court of Appeal - Lakeland

Vickers v. Malpeli - pleading of attorney's fees

Danforth v. Danforth - untimeliness of appeal

Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.