

Florida Appeals Court Decisions: Week of March 4 - 8, 2024

March 08, 2024

U.S. Eleventh Circuit Court of Appeals

Amerisure v. Landmark - appellate jurisdiction, pending claims

Edwards v. US Att'y Gen - immigration, removal, asylum, aggravated felony conviction

USA v. Gbenidio - illegal drug dispensing, indictment sufficiency, evidence

USA v. Dubois - Second Amendment, firearms, knowledge, controlled substance, sentencing

Honeyfund.com v. Fla Gov - First Amendment, Individual Freedom Act, workplace training

Florida Supreme Court - Tallahassee

Faircloth Guardianship v. Main Street Ent - comparative fault statute, scope

Statewide GAL v. CC - parental rights, termination

First District Court of Appeal - Tallahassee

Scott v. State - child hearsay

Hausler v. Hausler - marital dissolution, attorney's fees, after-the-fact

Brown v. State - probation revocation

Pitts v. Brown - certiorari, expert witness, attorney's fees in cert cases

Casey v. Mistral CA - condominium, balcony railing, maintenance duty

Kilcrease v. Brown - child support, trial court jurisdiction, simultaneous proceedings

Second District Court of Appeal - St. Petersburg

Garner v. State - sentencing

Kozminski v. Koeppen - real property, specific performance

Advantage Limo v. Simmons - rule 1.442, settlement proposals, ambiguity

Daniels v. Readycap - guarantee, res judicata

Shrivastava v. CAC Pharma - arbitration

Third District Court of Appeal - Miami

Ross v. Citizens - summary judgment standard

Sanchez v. Sec First - presuit notice under s. 627.70152, retroactivity

Sommers v. Philip Morris - Engle-progeny action, punitive damages

Ortega v. All Dade Fences - presumption of negligence, attorney's fees

Lawton v. State - civil commitment, probable cause for release

Pianezza v. MIA Collection Servs - personal jurisdiction, corporate shield doctrine

Gonzalez v. City of Coral Gables - late service, good cause

Dev-Land Demolition v. Trekker - verdict, evidence, jury instructions, invited error

Levy v. Levy - post-dissolution proceeding, suit money, attorney's fees

Valdivieso v. Citizens - appraisal, attorney's fees

Ingraham v. State - postconviction relief

Otero v. AAA - negligence, duty

Quality Diagnostic v. Responsive - false application

Valdes v. State - community control, discrepancy between written order and oral pronouncement

Med Rehab v. Direct Gen - intervention

AGI Traffic Sch v. DHSMV - contract termination, evidence

Sutton v. Wilmington Tr - certiorari, financial discovery

Telesco v. Nat'l Concrete - certiorari, discovery prior to arbitrability determination

Vault Reciprocal v. Luria - certiorari, work product

Brewer v. Hughes - prohibition, disqualification of judge

Fourth District Court of Appeal - West Palm Beach

Henriquez v. State - written findings

Lee v. State - prosecution costs

Lillard v. State - sentencing

Lillard v. State - written findings

Pino v. Pino - due process, testimony

Selz v. McKagen - certified conflict

State v. Morris - ineffective assistance

Palacios v. Lawson - med mal, arbitration

Fellsmere v. Almanza - code lien foreclosure

Herman v. Smiley - jurisdiction, judicial records

Broyes v. State - scrivener's error

[State v. Tyson](#) - reasonable suspicion

[Kaplan v. DCF](#) - termination parental rights, moot

Fifth District Court of Appeal - Daytona Beach

[Dora v. Morrison](#) - probate, non-adversary; strike, procedure

[ER Env v. Sihle Financial](#) - negligence, fiduciary duty, summary judgment

[Rampe v. State](#) - criminal, judgment, sentence, probation

[Poole v. State](#) - *Spencer* warning, pro se

Sixth District Court of Appeal - Lakeland

[Campbell v. State](#) - sentencing, oral pronouncement

[Lee County v. Dean Wish](#) - attorney's fees

[Morris v. Boyer](#) - enforcement of settlement

[Statewide GAL v. DCF](#) - authority of GAL

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