

# Florida Appeals Court Decisions: Week of March 8 - 12, 2021

March 13, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v. Rogers* - sentencing

*Helm v. Carroll* - qualified immunity, 1983

*US v. Knights* - Fourth Amendment

*Breland v. US* - standing

*Granda v. US* - crime-of-violence predicate

*Ruiz v. Wing* - time to appeal

*Smith v. Bokor* - CAFA

## Florida Supreme Court - Tallahassee

*In re Covid* - latest administrative order

*In re Fla R Juv P* - amended rules

## First District Court of Appeal - Tallahassee

*Philip Morris v. Brown* - attorney's fees, current rate, prejudgment interest

*Armas v. State* - murder, medical examiner testimony, self-representation

*Chehardy v. Harrison* - driver license, farm tractor exception

*Fla Carry v. Thrasher* - firearms regulations, administrative remedies

*Shirah v. State* - return of property

*Fine v. State* - sentencing

*Jones v. State* - sentencing

*Ketterling v. Morris* - multiple settlement proposals

*Kramer v. State* - plea withdrawal

*Barner v. State* - habeas corpus, postconviction relief

*Kelly v. State* - sentencing

## Second District Court of Appeal - Lakeland

*Sweeney v. Sweeney* - appellate jurisdiction, fees without amount

*Murphy v. Murphy* - equitable distribution, child support

*Higdon v. DCF* - mootness

*Chumney v. State* - double jeopardy

*Herce v. Maines* - fees, magistrate recommendation

*State v. Cosby* - sentencing

*Christ v. Deutsche Bank* - foreclosure, notice, para 22

*Anderson v. Miller Bey Paralegal* - real property, invalid deed

*RS v. SK* - timesharing modification

*Leombruno v. State* - sentencing, preservation of error

*Irvin v. LJ's Package* - nonbinding arbitration award, setoff

*Palmateer v. Palmateer* - appellate fees, disgorgement, jurisdiction

*Vidana v. State* - probation revocation

*Johnson v. State* - postconviction relief

*Bond v. Luzinski* - forum selection clause

*Cavey v. Wells* - certiorari, deposition, sheriff, apex doctrine

*Wheeler v. State* - pro se sanctions

*Am Cap v. Palmetto Dunes* - insurance, appraisal, certified conflict

## Third District Court of Appeal - Miami

*Mori v. Fortune* - real estate, specific performance

*Nunez v. Universal* - new trial, directed verdict, insurance

*Miami v. Ortiz* - summary judgment, arbitration

*Sans Souci HOA v. Lukov* - frivolity sanctions

*Ramirez v. State* - postconviction relief

*Mays v. State* - post trial release motion

*Calderin v. Mining* - prohibition, bankruptcy

*Miramar v. Garcia* - certiorari, protective order, real property

*Luxcom v. Palmetto Bay* - certiorari, zoning

## Fourth District Court of Appeal - West Palm Beach

*Fernalld v. ABB Inc.* - remittitur

*Colon v. Riviera Beach* - release, FCRA

*Belt v. USAA* - jury instruction, multiple impacts

*Nugent v. Michelis* - attorney's fees, basis

*State v. Cassaday* - self-defense immunity

*Share v. Broken Sound Club* - implied covenant of good faith, operational decisions

# Fifth District Court of Appeal - Daytona Beach

*Jackson v. State* - Anders appeal, cost

*Lopez v. Avatar Prop & Casualty Ins* - summary judgment, material misrepresentations

*Lumsden v. State* - jury instruction, good faith defense, new trial

*Smith v. State* - probation revocation, substantial evidence

*Barrett v. Barrett* - dissolution, fraudulent testimony, reopen case

*Callahan v. State* - postconviction relief

*Watson v. State* - sentence

*Taylor v. Gonzalez* - lack of transcript, magistrate

*State v. Kemp* - certiorari, postconviction relief

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

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