

Florida Appeals Court Decisions: Week of May 14 - 18, 2018

May 14, 2018

U.S. Eleventh Circuit Court of Appeals

[Williams v. Mosaic Fertilizer](#) - toxic tort, *Daubert*

[US v. Knowles](#) - identity theft, unauthorized access

[Ovalles v. US](#) - en banc

[Chmielewski v. City of St Pete Beach](#) - condemnation

[Prison Legal News v. Fla DOC](#) - 1st Amendment, due process

[Sopo v. US Atty Gen](#) - habeas corpus, mootness

Florida Supreme Court – Tallahassee

[FROP v. Miami](#) - union, financial urgency, constitutional challenge

[Walton v. State](#) - capital case, postconviction relief

[Koppel v. Ochoa](#) - rule 1.090, settlement proposal, extension of time

[Sierra Club v. Brown](#) - electric utility rates, settlement

[Alston v. State](#) - capital case, postconviction relief

[Andrews v. State](#) - ex parte pro se filings, pro bono counsel

First District Court of Appeal – Tallahassee

[Stoffel v. State](#) - molestation, lesser included, battery

[Copeland v. State](#) - search and seizure

[O'Steen v. State](#) - postconviction relief

[Brown v. State](#) - suppression order, no findings

[Highwoods v. Milar](#) - indemnification, Mary Carter settlement

[Crenshaw v. State](#) - grant theft, intent; moot sentencing appeal
[Robinson v. State](#) - double jeopardy
[Thompson v. State](#) - probation revocation
[Johnson v. State](#) - double jeopardy
[Archie v. State](#) - appellate jurisdiction
[Sherman v. State](#) - double jeopardy
[Dygart v. State](#) - double jeopardy
[Kellum v. State](#) - newly discovered evidence
[Rodriguez v. Nicolitz](#) - medical malpractice, presuit notice
[Harbor Freight v. Whitehead](#) - workers' compensation
[Boulineau v. DHSMV](#) - second-tier certiorari, driver's license revocation

Second District Court of Appeal – Lakeland

[Jennings v. State](#) - sentencing
[Brooks v. State](#) - confession, admissibility
[DD v. State](#) - delinquency, theft, value
[Myers v. State](#) - postconviction relief
[Raissi v. Valente](#) - condominium expenses, summary judgment
[Persaud v. Persaud](#) - alimony, child support
[State Farm v. MRI Assoc](#) - PIP, medical expenses, certified question
[3d Fed S&L v. Koulouvaris](#) - foreclosure, authentication

Third District Court of Appeal – Miami

[Roberts v. State](#) - requested opinion, preservation
[Pacheco v. Gonzalez](#) - rule 1.442, settlement proposal
[Hernandez v. State](#) - sentencing
[State Farm v. Xirinachs](#) - insurance, law of the case
[Lindemuth v. State](#) - interfering with custody, entice
[TM Wireless v. All Commerce](#) - sales contract or joint venture
[Semerena v. Aetna](#) - voluntary dismissal after court-ordered dismissal
[Miami v. Miami FROP](#) - unfair labor practice
[Perlberg v. Lubercy Asia](#) - appellate jurisdiction
[Bajcar v. Bajcar](#) - certiorari, contempt

Rivero v. Farach - certiorari, confidential records

Fourth District Court of Appeal – West Palm Beach

Vassor v. State - premeditation

Chavis v. State - sentencing; costs

Pierre v. State - preservation

Walker v. State - oral pronouncement

McGraw v. State - certified question; blood draw; consent

Charles v. State - competency

Fla Research Inst v. Dillon - membership; termination; notice

McCullough v. State - postconviction relief

Henion v. State - sentencing

De La Rosa v. Fla Peninsula Ins - timely report; prejudice

Fazio v. Fazio - marital settlement agreement

Sealy v. Sealy - mediated settlement agreement; remedy

Davis v. Davis - dissolution; findings

Scarcinci v. Christiana Trust - foreclosure; standing; damages

Hernandez v. State - competency

Molina v. Valenzuela - injunction; stalking; mootness

Heard v. Perales - imputed income

Buhler v. State - speedy trial rule

Haspel v. State - postconviction relief

State v. Kersting - presence; criminal proceeding

Fifth District Court of Appeal – Daytona Beach

Madl v. Wells Fargo - attorney's fees; contract

RR v. New Life Comm Church - limitations; negligence

Hicks v. Am Integrity Ins - PCA; precedential value

Burney v. State - competence; stipulation

Blocker v. State - postconviction relief

[Doby v. State](#) - belated appeal

[Hill v. Hill](#) - disqualification

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