

Florida Appeals Court Decisions: Week of May 22 - 26, 2023

May 27, 2023

U.S. Eleventh Circuit Court of Appeals

N Shore Med v. Cigna - emergency care, insurance reimbursement

Beasley v. O'Reilly Auto Parts - ADA, reasonable accommodations

King v. King - fiduciary duty, duty to disclose, Ga law

Mendez v. Wal-Mart - negligence, premises liability, slip and fall, Ga law

Wade v. Ga Correctional - § 1983, Eighth Amendment

Florida Supreme Court - Tallahassee

Arbelaez v. State - capital case, postconviction relief

Sliney v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

Waaser v. State - evidence, DUI

D'Arcy v. Fla Gaming Comm'n - taking, dog racing constitutional amendment

McGee Tire & Auto v. Parsons - age discrimination, mitigating damages, back pay

Fleming v. State - jury selection

Genovese v. Dixon - mandamus, prison disciplinary report

KA v. Sunshine State Health - initial brief, failure to identify error

Addison v. Dixon - mandamus, duty to rule, mootness

Statewide GAL v. JB - certiorari, dependency, reunification objection

Second District Court of Appeal - St. Petersburg

Vuchinich v. Vuchinich - alimony

Gladding v. Hill - probate, fees

Pearson v. State - postconviction relief

Third District Court of Appeal - Miami

State Farm v. Cent Therapy - leave to amend, affirmative defenses

BW v. DCF - dependency, evidence

Hawks Nest v. Westchester - prejudgment interest

Crawford v. Monroe Cnty - leave to amend, complaint

Gomez v. Gomez - statute of frauds, joint venture, unjust enrichment

Fourth District Court of Appeal - West Palm Beach

Deloatch v. State - sexual misconduct, patient, §394.4593(2)

Williams v. State - expunction, criminal history, human trafficking, §943.0583

Tucker v. LNV - appellate preservation; attorney's fees

Winrow v. Heider - marital dissolution, prenuptial agreement

Clase v. State - sentencing

Nat'l Equity v. Imperial Fund - certiorari, foreclosure, surplus, stay

Huete v. Huete-Sierra - marital dissolution

Wolf v. Wolf - vacating default judgment, rule 1.540(b)

Burns v. State - prohibition, Stand Your Ground

Lornamead v. Fleemin - personal jurisdiction, minimum contacts, asbestos

Domnin v. Domina - prohibition, judicial disqualification

Fifth District Court of Appeal - Daytona Beach

St Marks Pond v. Boles - temporary injunction, bond

Cooper v. State - Anders appeal, investigative costs, probation

Alexander v. State - ineffective assistance, trial

Sixth District Court of Appeal - Lakeland

Smith v. Lyles - new trial, improper testimony

SRF Servs. v. Tower Hill Prime - insurance, policy construction

Covington v. State - suppression of evidence

Travel Ins. Facilities v. Naples Comm. Hosp. - personal jurisdiction

Pipher v. Pipher - domestic violence injunction

Bensen v. Privilege - insurance, policy construction

Adv. Fla. Med. Grp. v. Progressive - pleading affirmative defenses

Boggs v. Dep't of Revenue - child support

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