

Florida Appeals Court Decisions: Week of May 8 - 12, 2023

May 13, 2023

U.S. Eleventh Circuit Court of Appeals

Rossell v. VMSB - FRCP 41(a)(2) dismissal

Smith v. Williams - FRCP 41(a)(1) dismissal

EEOC v. Eberspaecher NA - administrative subpoena, enforcement

Graves v. Brandstar Studios - FMLA, ADA

Florida Supreme Court - Tallahassee

Fla Bar v. Bander - attorney discipline

In re Fla R GP&JA - amended rules

First District Court of Appeal - Tallahassee

KM v. DCF - parental rights, failure to prosecute

JM v. DCF - parental rights, failure to prosecute

MG v. DCF - parental rights, failure to prosecute

MW v. DCF - parental rights, failure to prosecute

Poole v. State - sentencing

White v. Discovery Comm'n - personal jurisdiction; defamation, CDA § 230

Garcia v. So Cleaning - independent contractor, nondelegable duties

Debose v. State - supplementing record on appeal, transcript

Hale v. Bd of Admin - retirement benefits, administrative review

Second District Court of Appeal - St. Petersburg

Halsey v. Hoffman - certiorari, medical presuit

Wells Fargo v. Neininger - foreclosure, fees, bankruptcy
Westpark Preserve HA v. Pulte Home - statute of repose
Davis v. State - bolstering
Fitness Int'l v. 93 FLRPT - Covid-19, real estate lease
Mt Hawley v. Russo - certiorari, stay, prior filed action
Armstrong v. State - postconviction relief

Third District Court of Appeal - Miami

Pet Supermarket v. Eldridge - class certification, standing, injury, dissent
Tarlo v. Metro Life - trial continuance
State v. Delancy - prohibition, mediation
Planas v. State - habeas, pro se filings

Fourth District Court of Appeal - West Palm Beach

McGee v. State - restitution, reserved jurisdiction
Indian River Shores v. Vero Bch - municipal utilities, rates
Enriquez v. State - sentencing
Palm Beach Post v. Aronberg - grand jury secrecy, §905.27
Personna v. State - briefing, record supplement, extensions of time
Grnja v. People's Trust - insurance, appraisal, waiver, §627.7015
Wright v. Regions - default, motion to set aside, rule 1.500(b)
Abraham v. State - sentencing, cost orders
Republic Consumer Lending v. Townsend - partition

Fifth District Court of Appeal - Daytona Beach

Maloch v. Maloch - alimony calculation; concurrence, dissent
Shahid v. Miller - dismissal with prejudice, preservation; concurrence
McDermott v. State - child sexual battery, sexual predator designation

Sixth District Court of Appeal - Lakeland

Reese v. Reese - dissolution of marriage
Maya v. State - hearsay, closing argument objection
Lancheros v. Burke - negligence, causation

Progressive v. Simonmed Imaging - PIP, statutory construction

Hurt, III v. Johnson - monetary sanctions

Romero v. State - sentencing error

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.