

# Florida Appeals Court Decisions: Week of November 13-17, 2023

November 18, 2023

## U.S. Eleventh Circuit Court of Appeals

*USA v. Perez* - sentencing, 18 USC § 3147

*Powell v. Volusia Sch Bd* - IDEA, ADA, public education

## Florida Supreme Court - Tallahassee

*Emerson v. Lambert* - dangerous instrumentality, vicarious liability

*Loyd v. State* - capital case, direct appeal

## First District Court of Appeal - Tallahassee

*Perryman v. State* - sentencing

*Stern v. DeSantis* - public records request, fees

*Banks v. State* - postconviction relief

## Second District Court of Appeal - St. Petersburg

*Ottone v. Williamson Inv* - eviction, unraised evidentiary deficiencies

*McQueen v. Baskin* - defamation, media defendant, anti-SLAPP

## Third District Court of Appeal - Miami

*Kitaygorodskiy v. State* - identification testimony, invited response

*Heath v. State* - sexual offender designation

*Scognamillo v. Jamison* - dissolution of marriage rehearing, insufficient record

*Philip Morris v. Garcia* - class limitation period

[Mercado v. Sridhar](#) - sale contract, enforceability

[Dubois v. Affiliati Network](#) - attorney's fees, insufficient record

[Frantin v. Media Grp](#) - personal jurisdiction, declaration

[Saenz v. Sanchez](#) - pre-trial timesharing

[DJ v. State](#) - involuntary commitment

## Fourth District Court of Appeal - West Palm Beach

[BWB v. State](#) - written threats, constitutionality

[Aileen v. Univ Prop & Caus](#) - verdict, waiver

[Taylor v. State](#) - sentencing

[Sentz v. Bonefish Grill](#) - slip-and-fall, direct evidence

[Harripersad v. Lake Park Gardens](#) - settlement, evidentiary hearing

## Fifth District Court of Appeal - Daytona Beach

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

[Hicks v. State](#) - *Spencer* bar, pro se

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

[Prop Reg Champ v. Mulberry](#) - forum selection clause, contract

## Sixth District Court of Appeal - Lakeland

[Bowein v. Sherman](#) - contract ambiguity, specific performance

[Begonja v. Wyndham Vacation Resorts](#) - pro hac vice

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