

# Florida Appeals Court Decisions: Week of October 1 - 5, 2018

October 05, 2018

## U.S. Eleventh Circuit Court of Appeals

[Estate of Cummings v. Davenport](#) - qualified immunity, interlocutory appeal

[In re Teltronics](#) - bankruptcy

[Yarbrough v. Decatur Housing Auth](#) - § 1983, HCDA

[Muransky v. Godiva Chocolatier](#) - FACTA, class settlement

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

## Florida Supreme Court - Tallahassee

[Allen v. Nunez](#) - proposals for settlement, rule 1.442

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

[Villasol CDD v. TC 12](#) - dismissed, improvidently granted

[Fla Bar Adv Op](#) - unlicensed practice of law

[Miller v. State](#) - sentencing

[In re Fla R Crim Pro](#) - amended rules

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

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

[In re Fla Std Jury Instr \(Crim\)](#) - amended instructions

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

## First District Court of Appeal - Tallahassee

[Howard v. State](#) - severance

[State v. Green](#) - trial court jurisdiction, deceased defendant

[Williams v. State](#) - certiorari, competency

[DHSMV v. Kamau](#) - mandate enforcement

[Oats v. State](#) - competency

[Mardosas v. State](#) - search and seizure  
[LaLa v. FCOR](#) - certiorari, right to file reply  
[Elmer v. State](#) - pro se sanctions  
[Rivers v. Brite Houses](#) - appellate jurisdiction  
[Christy v. State](#) - prohibition, speedy trial

## Second District Court of Appeal - Lakeland

[FL - 7 v. SWF](#) - real estate commission, unpled theory  
[State Farm v. Lyde](#) - uninsured motorist coverage  
[Hunt v. State](#) - drug trafficking

## Third District Court of Appeal - Miami

[Atlantic Civil v. Swift](#) - proposal for settlement  
[Parks v. State](#) - sentencing  
[McGlocklin v. State](#) - pro se sanctions  
[UT v. State](#) - indirect contempt, home detention  
[FNMA v. JKM Serv](#) - intervention, receivership, condominiums  
[WT v. State](#) - officer, execution of legal duty  
[Robinson v. Safepoint Ins](#) - fraud on the court  
[KN v. State](#) - competency, juvenile  
[Billot Pigna v. Messianu](#) - probate, appealable order  
[Ocean Bank v. Gato](#) - foreclosure sale, delay  
[WD 19790 v. Trust](#) - premature appeal  
[MK v. DCF](#) - certiorari; shelter order

## Fourth District Court of Appeal - West Palm Beach

[Pogue v. Garib](#) - additur; permanent injury  
[Green v. State](#) - sentencing; mental health  
[Darden v. Ostanne](#) - arbitration; employment

## Fifth District Court of Appeal - Daytona Beach

[Nix v. FNMA](#) - foreclosure, paragraph 22

[Lazzaro v. State](#) - closing argument, bolstering

[Ruffenach v. Ocwen Loan](#) - mandamus, order striking jury demand

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