

Florida Appeals Court Decisions: Week of October 2-6, 2023

October 06, 2023

U.S. Eleventh Circuit Court of Appeals

Lowery v. AmGuard - appellate jurisdiction, insurance, equitable reformation

CSX v. Gen Mills - indemnification agreements, negligence, vouchment

Yelling v. St Vincent's - employment, discrimination, retaliation

Harris v. Public Health Tr Miami-Dade - employment, discrimination, hostile environment, retaliation

Edwards v. Dothan City Schools - employment, due process, contract

USA v. Steiger - sentencing, probation revocation

Johnson v. Dunn - search and seizure, qualified immunity

Kemokai v. US Att'y Gen - immigration, aggravated felony, intervening decisions

Florida Supreme Court - Tallahassee

Cruz v. State - capital case, rehearing denied

First District Court of Appeal - Tallahassee

Puri v. DCF - administrative appeal, foster home license

Freeman v. State - tipsy coachman, Stand Your Ground

E Coast Waffles v. Haselden - workers' compensation

White v. State - preservation of error, no-contest plea

State v. Berens - personal property, lien, venison meat

Lumpkin v. State - postconviction relief

Morris v. State - mandamus, mootness, duty to rule

Parson v. State - certiorari, interim writ of mandamus, requiring reasoning

Stanton v. State - mandamus, mootness, duty to rule

Broxton v. State - belated appeal

Slaton v. State - mandamus, mootness, duty to rule

Second District Court of Appeal - St. Petersburg

Hammac v. US Bank - foreclosure, amount owed

Feldman v. State - restitution, hearing

Third District Court of Appeal - Miami

Citizens v. Salazar - correct measure of damages, insufficient evidence

Hess v. PMG-S2 Sunny Isles - attorney's fees, contract

Responsive v. Oasis Diagnostic Ctr - non-final order, summary judgment evidence

Frehling v. Garcia - property tax assessment benefit, transfer

MP v. Guiribitey - arbitration agreement, unconscionability, arbitrability

Fourth District Court of Appeal - West Palm Beach

Bd of Trustees v. NE 32nd St - summary judgment, attorney's fees

Doll v. State - cost of prosecution

Pine v. Pine - attorney's fees, ripeness

Fort Lauderdale v. Tropical Paradise Resorts - sovereign immunity

People's Trust v. Jones - appraisal

Fifth District Court of Appeal - Daytona Beach

Schmidt v. Schmidt - dissolution, alimony, equitable distribution

Sanchez v. Volusia County - nonfinal order, appellate jurisdiction

Varner v. Varner - child visitation

Kani v. Feaster - paternity

Adventist Health v. Machalek - certiorari; med mal, presuit requirements

Newcomer v. State - postconviction relief

Sixth District Court of Appeal - Lakeland

Cape Coral Loan v. 924 Del Prado - waiver of affirmative defense

Royal v. Royal - availment of adequate remedy

AHCA v. Payas - subject matter jurisdiction

Robinson v. State - summary disposition

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