

Florida Appeals Court Decisions: Week of September 20 - 24, 2021

September 25, 2021

U.S. Eleventh Circuit Court of Appeals

McLaurin v. Terminix - arbitration
Pelaez v. GEICO - bad faith insurance
Sosa v. Martin Cty, Fla - 1983, detention, dissent
DeJesus v. Lewis - 8th Amend., sexual assault
Beach Blitz v. Miami Beach - attorney fees
Viverette v. Soc Sec C'mr - SSI benefits
Smith v. Dozier - RLUIPA
Cutuli v. Elie - bankruptcy

Florida Supreme Court - Tallahassee

State v. McKenzie - sentencing, sexual predators, statutory interpretation
Dailey v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

FYJ v. DCF - lack of transcript
Fannin v. Hunter - dog damage, directed verdict
Robinson v. State - possession
Harris v. State - plea withdrawal, sentencing
Wright v. State - judicial records, access
Global Lab Partners v. Patroni Enters - attorney disqualification
Kramer v. State - sentencing
Files v. Hayes - domestic violence injunction

Kimble v. State - sentencing

Jennings v. Fredes - cross-examination; timesharing, child support

Johnson v. State - law of case

Hagins v. Inch - prisoner discipline challenge, timing

Rich v. State - postconviction relief

JEA v. First Coast Reg Util - prohibition, regulatory jurisdiction

Hranek v. State - appellate counsel, ineffective assistance

Roberts v. State - appellate counsel, ineffective assistance

McNeil v. State - prohibition

Second District Court of Appeal - Lakeland

Carrion v. State - sentencing, preservation of error

Third District Court of Appeal - Miami

Arce v. State - postconviction relief

Ofer v. Bernstein - dismissal, sanction

Philip Morris v. Principe - repose, fraud

Pernas v. General Impact - dismissal, prosecution, notice

Rodriguez v. Bank of NY Mellon - eviction, stay

Fourth District Court of Appeal - West Palm Beach

Cano v. Judet - construction contract; damages

State v. Delprete - s. 817.234, insurance fraud

Fifth District Court of Appeal - Daytona Beach

Arnold v. Arnold - declaratory decree, trial jurisdiction

Heisel v. City of Deltona - simulated gambling, cease and desist

Griffis v. Bridle Oaks - injunctive relief, property

Ge v. Swearingen - HOA lien, foreclosure sale

Lifestream v. Allerton - certiorari; general negligence, med mal

Robles v. Castellanos - lack of transcript

Taylor v. State - *Spencer* warning, pro se

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