

Florida Appeals Court Decisions: Week of September 24 - 28, 2018

September 29, 2018

U.S. Eleventh Circuit Court of Appeals

[Patel v. Spec Loan Servicing](#) - filed-rate doctrine
[Pictet Overseas v. Helvetia Trust](#) - arbitrability, FINRA
[JW v. Birmingham Bd of Ed](#) - § 1983, qualified immunity, standing
[Smelter v. S Home Care Servs](#) - Title VII
[Gogel v. Kia Motors Mfg](#) - Title VII
[Randolph v. US](#) - ACCA, habeas corpus
[Barton v. US](#) - immigration
[Sierra v. City of Hallandale Beach](#) - ADA, exhaustion
[Chamblee v. Florida](#) - habeas corpus, AEDPA

Florida Supreme Court - Tallahassee

[Wright v. State](#) - USSC remand, capital sentence, intellectual disability
[Fla Bar v. Bosecker](#) - attorney discipline
[Newton v. Caterpillar Fin Servs](#) - dangerous instrumentalities, loaders
[In re Fla Std Jury Instr \(Crim\)](#) - amended instructions
[In re Fla Std Jury Instr \(Crim\)](#) - more amended instructions
[In re Fla Std Jury Instr \(Crim\)](#) - still more amended instructions
[In re Fam L Forms](#) - amended form
[In re Fam L Forms](#) - deleted forms
[In re Fla Prob R](#) - rules amendments

First District Court of Appeal - Tallahassee

[Cherry v. Viker](#) - appellate attorney's fees, § 61.16

[Okposio v. Barry Univ](#) - Fla Civil Rights Act, public accommodation

[BE v. State](#) - delinquency, competency

[JSC v. TIR](#) - premature appeal

[CC v. DCF](#) - mandamus, requirements

[TW v. DCF](#) - appellate jurisdiction, parental rights termination

Second District Court of Appeal - Lakeland

[Washington v. State](#) - juvenile sentencing

[Waterman v. State](#) - *Miranda*, competence

Third District Court of Appeal - Miami

[Aquasol CA v. HSBC](#) - appellate counsel sanctions

[Ocean Harbor Ins v. MSPA](#) - class certification, Medicare Secondary Payer Act

[SB v. State](#) - burden-shifting examination

[Ruiz v. Policlínica Metro](#) - rule 1.442, proposal for settlement

[Levy v. Ben-Shmuel](#) - damages, failure to prove; en banc

[Lindor v. Fla E Coast Ry](#) - personal representative, substitution

[Toiran v. State](#) - prohibition, Stand Your Ground

[Driessen v. Univ of Miami Law](#) - legal malpractice, standing

[Amerisure v. Rodriguez](#) - certiorari, third-party spoliation action, accrual

[Haas v. Yousef](#) - prohibition, judicial disqualification

Fourth District Court of Appeal - West Palm Beach

[Dinnerstein v. DOH](#) - sovereign immunity, med mal

[Perry v. State](#) - instruction, abnormal mental conditions

[Rodgers v. Deutsche Bank](#) - foreclosure, legal description

[Rodriguez v. State](#) - prohibition, speedy trial

[Natl Millwork v. ANF Group](#) - arbitration, public policy

Fifth District Court of Appeal - Daytona Beach

[State Farm v. Ferranti](#) - car accident, causation, prior condition

[Vitaliy v. Wells Fargo Bank](#) - foreclosure, default letter

[Taylor v. State](#) - molestation, collateral crime

[Pirie v. State](#) - postconviction relief

[Barros v. State](#) - postconviction relief

[De La Cruz v. State](#) - jail credit

[EL v. DCF](#) - concurrence, parental rights, termination

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