

# Florida Appeals Court Decisions: Week of September 5 - 9, 2022

September 09, 2022

## U.S. Eleventh Circuit Court of Appeals

*Campbell v. James* - default judgment

*Chabad Chayil v. Miami-Dade Sch Bd - Monell*, equal protection, due process

*Does 1-976 v. Chiquita Brands Int'l* - summary judgment, excluding evidence

*Doe 8 v. Chiquita Brands Int'l* - choice of law, tolling

*Hunstein v. Preferred Collection* - standing, injury en banc, concurrence, dissent

*US v. Doak* - abuse, trial rulings, sentencing

## Florida Supreme Court - Tallahassee

*Davis v. State* - judicial disqualification, harmless error test

*In re Fla Evid Code* - new evidence rule, Internet mapping

## First District Court of Appeal - Tallahassee

*TropiFlora v. DOH* - medical marijuana license

*Bailey v. State* - probation violation

*Louis Del Favero Orchids v. DOH* - medical marijuana license

*Jamerson v. Dixon* - appellate jurisdiction

## Second District Court of Appeal - Lakeland

*Daniels v. State* - search and seizure

*GCTC Holdings v. T Tag QSR* - certiorari, discovery

## Third District Court of Appeal - Miami

*Mikhaylov v. Bilzin Sumberg* - legal malpractice, limitations

*White v. AutoZone* - employment discrimination, private cause of action  
*Bath Club Entertm't v. Residence at Bath Club* - contempt, sanctions, fine  
*Belvant v. Cohen* - replevin writ, dissolution, fees, certified conflict  
*Homeowners Choice v. Fraser* - appellate jurisdiction, partial final judgment

## Fourth District Court of Appeal - West Palm Beach

*Quisenberry v. Bates* - constructive service  
*Singer v. Singer* - dissolution; attorney's fees  
*Eclectic Synergy v. Seredin* - contract; material breach; sanctions  
*Varga v. Dongal Invest* - vacating default; lack of transcript  
*Sanjuan v. Mena* - health care surrogate, revoking appointment  
*Construction Consult v. Broward College* - accord and satisfaction;  
*Neeley v. State* - postconviction relief, affidavit, declaration, s. 92.525(2).  
*Auguste v. Hyacinthe* - ecclesiastical abstention doctrine

## Fifth District Court of Appeal - Daytona Beach

*Gracia v. Sec First Ins* - summary judgment; insurance, forfeiture, fraud  
*Brevard Cty v. Waters Mark Development* - Bert Harris Act, liability  
*Cleveland Wellness v. Direct Gen Ins* - dismissal, well-pled allegations  
*State v. Torres* - certified question; DUI investigation

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