

Florida Appeals Court Decisions: Week of June 7 - 11, 2021

June 11, 2021

U.S. Eleventh Circuit Court of Appeals

USA v. Montenegro - sentencing

Simon v. Soc Sec Comm'r - disability benefits, findings

Shivers v. USA - FTCA, prisoner claims

Burns v. Palm Bch - First Amendment, architectural review

Daker v. Ward - PLRA, pro se sanctions

Florida Supreme Court - Tallahassee

Peoples Gas v. Posen Constr - implied cause of action, excavation statute

Kartsonis v. State - conflict analysis, distinguishable cases

In re Fla R Crim P - amended rules

In re Fam L Forms - amended forms

First District Court of Appeal - Tallahassee

Green v. Alachua Cnty - mask mandate, privacy right, certified conflict

Lucas v. State - triple concurrences, dubitante concurrence

Russell v. Hydro Assocs - arbitration

Cowan v. State - postconviction relief

DACS v. Henry & Rilla White - school lunch program, payment recoupment

Giles v. Portfolio Recov - nonreciprocal fee provision, South Dakota law

Washington v. State - sentencing

Shaw v. State - Jimmy Ryce, jury instructions

Second District Court of Appeal - Lakeland

Cabrera-Toledo v. State - sentencing

Gilbert v. State - evidence, Facebook screenshots, journal, closing argument
Ellison v. Willoughby - setoff, uninsured motorist settlement, certified question
Lizardi v. Fed Nat'l Ins - fees, prejudgment interest, findings
SS v. State - trespass, evidence
Nasrallah v. State - competency
Gomez v. State - community control revocation
Surgery Ctr v. Guirguis - employment, restrictive covenants
Cohen v. Carolyn - mootness
Springer v. Springer - dissolution, unauthorized modification
Amiri v. McGreal - landlord tenant, rent, eviction, res judicata
Cosentino v. Sarasota Cnty - local resolution, notice, publication
Blattner v. State - postconviction relief
CH v. NK - adoption, standing
Majab Dev v. Petro Welt - certiorari, corporate representative deposition
Bender v. Hornback - foreign judgment, domestication

Third District Court of Appeal - Miami

Volynsky v. Park Tree - foreclosure, post-bid objections
24 Hr Air Serv v. Hosanna - breach, service agreement, damages

Fourth District Court of Appeal - West Palm Beach

Lowery v. McBee - libel, venue
Gardi v. Gardi - marital dissolution, alimony
Wrapapan v. Girard - personal jurisdiction
Icon v. State - sentencing
VS v. DCF - parental rights, termination
JO v. DCF - parental rights, termination
Digiacomio v. Kogan & Disalvo - costs

Fifth District Court of Appeal - Daytona Beach

Woods v. State - withdraw plea, conceded error
Taylor v. State - *Spencer* bar, pro se

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