

# Florida Appeals Court Decisions: Week of February 11 - 15, 2019

February 16, 2019

## U.S. Eleventh Circuit Court of Appeals

*Pitch v. US* - disclosure of grand jury records

*US v. Valois* - MDLEA

*Hillcrest Prop v. Pasco Cnty* - due process, land use

*US v. Caniff* - child pornography

*Democratic Exec Cmte of Fla v. Fla Atty Gen* - emergency stay

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*Byram v. State* - double jeopardy

*Welch v. Inch* - vexatious litigant

*Terrill v. State* - sentencing

*Rodriguez-Lopez v. State* - plea withdrawal

*Amalgam'd Trans v. Local 1579* - certiorari; arbitration; certified conflict

*Mickles v. State* - postconviction relief

*Brown v. State* - postconviction relief

*Tisdale v. Tisdale* - MSA; child support

*Wade v. State* - counsel conflict; *Williams* rule

*State v. Choice Plus* - administrative jurisdiction, fees

*Cassedy v. Wood* - attorney's fees, agreement, settlement proposal

*Rente v. Orange Cnty* - workers' compensation

*Barakat v. Barakat Food Store* - service of regulatory complaint

*State v. Bohler* - new trial, weight of evidence

*EW v. State* - delinquency, school trespass

## Second District Court of Appeal - Lakeland

*Culver v. State* - plea withdrawal

*McDonald V. State* - probation revocation

*Grady v. State* - probation revocation

*Caruso v. State* - trial court jurisdiction pending appeal

*Hernandez v. State* - juror challenge, preservation of error

## Third District Court of Appeal - Miami

*Mendez v. State* - molestation; uncharged crime evidence

*Cancino v. Cancino* - marital dissolution, indirect criminal contempt

*Simmons v. State* - sentencing

*Escalona Socarras v. Bazan Vassallo* - equitable distribution, marital assets

*Feuer v. Ivanov* - summary affirmance

*JR v. State* - evidence, high crime area

*Benzrent v. Wilmington Sav* - foreclosure, default, standing

*State v. Lorenzo* - postconviction relief

*Air Shunt v. Airfoil* - personal jurisdiction

*Ultra Aviation v. Cruz Clemente* - employment, local wage ordinance

*Biscayne Marine v. Miami* - second-tier certiorari; bid protest

*Asset Recovery v. Wright* - prohibition; receiver's authority to act

*Planas v. State* - rule 3.800(a) limitations

## Fourth District Court of Appeal - West Palm Beach

*Pansky v. Pansky* - s. 605.0503, charging order, LLC

*Randall v. State* - manslaughter, principal to crime

*RJ Reynolds v. Thomas* - comparative fault reduction, remedy

*McDonald v. State* - uncharged offenses, due process

*Deutsche Bank Nat'l Trust v. Viteri* - foreclosure, standing

*Landmark Amer Ins v. Pin-Pon* - pretrial stipulation; withdrawal

*Pierre v. State* - excessive public defender lien

*JC v. DCF* - termination, parental rights

*State v. Ester* - withheld adjudication

*DHSMV v. Davis* - driver's license, implied consent, blood draw

# Fifth District Court of Appeal - Daytona Beach

*SH v. DCF* - termination, parental rights

*SH v. DCF* - termination, parental rights

*Ali v. Wells Fargo* - attorney's fees

*Clerk of Court v. Seminole County* - mandamus; county surplus funds, investment

*Adams v. DOC* - second-tier certiorari, disciplinary action

*Lively v. State* - postconviction relief

*Robles v. State* - postconviction DNA testing

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