

Florida Appeals Court Decisions: Week of January 20 - 24, 2020

January 25, 2020

U.S. Eleventh Circuit Court of Appeals

Estate of Bass v. Regions Bank - pleading sufficiency

Sabal Trail Trans v. 3.921 Acres of Land - lay opinion, attorney's fees

In re: Shek - bankruptcy

Florida Supreme Court - Tallahassee

Kocaker v. State - capital case, postconviction relief

State v. Poole - capital case, postconviction, *Hurst*

Fla Hwy Patrol v. Jackson - rule 9.130, sovereign immunity

In re Std Jury Instr (Civ) - amended instructions

In re Fla R App P - rule 9.130 amendment

In re R Reg Fla Bar - amended rules, bar exam

Gaymon v. State - sentencing, dangerousness

First District Court of Appeal - Tallahassee

Weaver v. State - fundamental error, lessor included

Neighbors v. Neighbors - marital dissolution, medical expenses

Rohn v. State - sentencing, costs

Horn v. State - return of property

Hicks v. State - competency

State v. Griner - sentencing, *Graham*

McNair v. Dorsey - workers' comp immunity, estoppel

Posey v. State - aggravated child abuse, evidence

TLC Props v. State - inverse condemnation, visibility, access

Hill v. State - probation revocation

Claflin v. Claflin - dissolution, comity, Philippine judgment

Light v. Kirkland - timesharing

Schmidt v. Nipper - rule 12.540, voidness, due process, paternity

Thompson v. Melange - certiorari, appellate jurisdiction, timesharing

Second District Court of Appeal - Lakeland

Migliazzo v. Wells Fargo - quiet title, rule 1.40 dismissal motion

Robinson v. State - driving, revoked license, notice, en banc; certified conflict

Lesende v. State -

Ploeckelmann v. State - sentencing, trial court jurisdiction

Hardeman Landscape v. Watkins - contract, fees, prevailing party

Robison v. Citibank - appellate jurisdiction, foreclosure stay

Hett v. Barron-Lunde - certiorari, financial information

Third District Court of Appeal - Miami

Desvarieux v. Bridgestone - negligence, stacking inferences; vicarious liability, pleading

Vinas v. State - severance, criminal charges

Caprio v. Castro - punitive damages, procedure

Bank of NY v. Hernandez - foreclosure, sua sponte dismissal, due on sale clause

Fourth District Court of Appeal - West Palm Beach

Harris v. State - murder, premeditation; preservation

Spaze v. Boca View - condo declarations

Jackson v. State - concealed weapon, unlicensed element

Morris v. State - sentencing

Hillcrest v. Zyscovich - contract interpretation, ambiguity

State v. Timianski - judgment of acquittal, standard

Brown v. State - sentencing

Broward v. Font - property appraisal; settlement agreement

Soldatich v. Jones - discrepancy, written order, oral pronouncement

Lunsford v. Engle - child custody, communication between courts

Prime Investors v. Meridien - construction lien; summary judgment

Williams v. State - sentencing

Fifth District Court of Appeal - Daytona Beach

Bigelow v. Ritsema - paternity; jurisdiction, trial, rehearing

Ferrer v. Ferrer - *Spencer* bar, pro se

Quinones v. Mascola - domestic violence injunction, evidence

Ruiz v. State - *Spencer* bar, pro se

Rogers v. State - *Anders* appeal; plea, sentence

Cetto v. State - probation violation, concession of error

Barkley v. State - probation violation, concession of error

GEICO v. Mauricio Chiropractic - certiorari, lack of written opinion

Jones v. State - habeas; ineffective assistance, appellate

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