

Florida Appeals Court Decisions: Week of May 31 - June 4, 2021

June 05, 2021

U.S. Eleventh Circuit Court of Appeals

Sanchez-Castro v. US Atty Gen - asylum, removal

Horn v. Liberty Ins. - insurance coverage, invasion of privacy, dissent

Eres v. Progressive - insurance bad faith

Birmingham Min v. Ala Secy of State - denial of rehearing en banc, voting rights, dissent

US v. Stem Cell Clinic - FDA regulations

Huang v. Equifax - class settlement

Don't Look Media v. Fly Victor - personal jurisdiction, forum selection clause

Florida Supreme Court - Tallahassee

Allen v. State - capital case, direct appeal

Arch v. Kubicki Draper - insurance, duty to defend, malpractice

State v. JAR - public defender fees

First District Court of Appeal - Tallahassee

Earven v. State - ineffective assistance, appellate counsel

Drayton v. State - sentencing

Huggins v. Sigel - Daubert, timeliness, qualifications

Andrews v. State - sentencing

KF v. DCF - untimely appeal

Advanzeon v. DFS - insurance receivership, contract, health plan admin fees

Tally Med Ctr v. Kemp - slip and fall, evidence, directed verdict

Phillips v. State - probation violation

Ivey v. State - sentencing

Shores of Panama v. STO - trial court costs, dismissed defendant

Castle Key v. Wooden Fam Tr - insurance appraisal, waiver, more definite statement

Second District Court of Appeal - Lakeland

Medina v. State - community control

Mateo v. State - scrivener's error

EHW v. State - restitution

Dean v. Bevis - stalking injunction, right to bear arms

Spicer v. State - nolle prosequi

Tank Tech v. Valley Tank - equitable subrogation

Swaford v. State - probation revocation

Santoro v. AsankaCars.com - insurance, fees

Third District Court of Appeal - Miami

De Soleil Condo Assn v. De Soleil Assn - summary judgment, standing, jurisdiction

Holmes v. State - sufficiency, *Miranda* right

MLCA v. MLNHA - motion to dismiss, declaratory relief

State v. Jones - Richardson hearing, double jeopardy

Deshazor v. State - *Faretta* right

Montero v. Corzo - untimely witness disclosure, *Binger* factors

Orozco v. Rodriguez-Amadeo - parenting time, due process

Segal v. Forastero - summary judgment, piercing corporate veil

Lopez v. Frometa - certiorari, drug test, notice

Logreira v. Logreira - parenting plan, supplemental order, due process

Fourth District Court of Appeal - West Palm Beach

Franklin v. State - cost assessment

Point Conversions v. WPB Hotel Partners - patent, subject matter jurisdiction

Prentice v. State - cost assessment

Cohen v. US Bank - summary judgment, personal knowledge

Underwriters at Lloyd's v. Pierson - insurance, indemnification

Anchor P&C v. Trif - insurance, "concealment or fraud"

Dodge v. People's Trust - insurance, liability limit

S Broward Hosp v. Feldbaum - certiorari, credentialing, immunity

Lewis v. State - postconviction relief

State v. Shaul - investigative subpoena

Bethea v. State - domestic violence, stand your ground

High Def Mobile MRI v. State Farm - policy, endorsement

Fifth District Court of Appeal - Daytona Beach

Connell v. State- probation violation, due process

Manago v. State - rehearing, harmless error, *Alleyne* error

Smith v. Williams - contempt, visitation interference

Boyd v. State- *Anders* appeal, costs.

Ryan v. Community First- foreclosure, vacate, appellate jurisdiction

Dep Ins v. Pasco-Pinellas Community Sys - summary judgment, PIP benefits

Olson v. Eco Marine - judgment, recused judge, non-ministerial act

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