

# Florida Appeals Court Decisions: Week of July 11 - 15, 2022

July 15, 2022

## U.S. Eleventh Circuit Court of Appeals

*Carson v. Monsanto Co.* - preemption  
*Gavin v. Ala DOC* - habeas, concurrence  
*Hessler v. US* - ineffective assistance, 2255  
*Huggins v. Lueder, Larkin & Hunter* - Rule 11 sanctions  
*US v. Butler* - sentencing  
*US v. Lewis* - jury selection, trial rulings  
*US v. Stapleton* - speedy trial, evidence, extradition  
*US v. Watkins* - fraud, trial rulings

## Florida Supreme Court - Tallahassee

*In re Fla R Crim Pro* - amended criminal, juvenile rules  
*In re Fla R Civ Pro* - amended rules, communication technology  
*In re Fla R Juv Pro* - amended rules  
*In re Fla Fam Law R* - amended rule, form

## First District Court of Appeal - Tallahassee

*Sandifort v. Akers Cust Homes* - workers' compensation  
*Richardson v. State* - preservation of error  
*Hughes v. APD* - reallocated service hours  
*Araguel v. Bryan* - personal representative, appointment  
*Cottrell v. State* - search and seizure  
*Raik v. Dept of Legal Affairs* - Fla Crimes Compensation Act  
*Eleazer v. State* - ineffective assistance, appellate counsel  
*Fiberoptics Tech v. Sunoptic Tech* - certiorari, discovery, trade secrets

*Manning v. Ford* - represented pro se filing

## Second District Court of Appeal - Lakeland

*Massad v. State* - conspiracy, obstruction, evidence

*Valente v. Raissi* - appellate jurisdiction, venting

*Tinoco v. Lugo* - child support, fees

*Coursen v. Robert Watrous Chtd* - certiorari, jury trial

*Lang v. Fallang Family LP* - § 57.105, findings

*Thompson v. State* - sentencing

*Williams v. State* - postconviction relief

*Julio v. State* - attorney misconduct

*Mason v. McGinley* - pro se sanctions

## Third District Court of Appeal - Miami

*Estache v. State* - double jeopardy

*814 Prop Hldgs v. New Birth Baptist* - condo declaration, purchase option

*Sierra v. Sierra* - probate, appellate jurisdiction

*Hosanna Comm'y Baptist v. 24 HR Air* - fees, pleading, amount

*Karenza Apartm'ts v. Miami* - Bert Harris claim, mural ordinance

*State v. Rojas* - double jeopardy, appellate jurisdiction

*Lawrence v. Marina Tower Turnberry CA* - § 57.105, non-party

*Avael Law Firm v. Sechrist* - appellate jurisdiction

*Perez v. Saima Grp* - insurance, notice, summary judgment

## Fourth District Court of Appeal - West Palm Beach

*Simpson v. Dania Beach* - standing, land use, zoning

*Southam v. Red Wing Shoe* - standing, class action, FACTA

*Triple S Mgmt v. Amer. Clinical* - dissent; jurisdiction, minimum contacts

*Infinity Auto Ins v. Metric Diag* - PIP, attorney misconduct, rule 1.190, sanctions, bad faith

## Fifth District Court of Appeal - Daytona Beach

*PHH Mortgage v. Schreiber* - foreclosure, collateral estoppel

*Varela Constr v. Pagio* - rehearing, tipsy coachman

*Baruti v. Vingle* - injunction for protection, stalking, substantial evidence

*Papa John's v. Moore* - certiorari; privilege, waiver

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

*ALP v. State* - prohibition, disqualification

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