

Florida Appeals Court Decisions: Week of July 17 - 21, 2023

July 22, 2023

U.S. Eleventh Circuit Court of Appeals

NRA v. FDLE - en banc, vacating *this* opinion

Green v. Finkelstein - First Amendment, election, employment

USA v. McAvoy - en banc, False Claims Act, intervention

Barber v. Ala Govr - postconviction relief, capital case

Sears v. Warden GDCP - habeas corpus

USA v. Gary - sentencing

Cates v. Zeltiq Aesthetics - products liability, CoolSculpting, design defect

First District Court of Appeal - Tallahassee

Huck v. Kenmare Commons - real property, covenant, parking, public road

Onigbanjo v. State - probation revocation

Swain v. FCOR - certiorari, parole

Carter v. Meadows - certiorari, discovery, psychotherapist-patient records

Doe v. Days - stalking injunction

LNW v. DCF - parental rights, termination, failure to prosecute appeal

Second District Court of Appeal - St. Petersburg

MDF v. TT - child support

Cruz v. State - sentencing

Weber v. State - sentencing

Third District Court of Appeal - Miami

[Universal v. Gonzalez-Perez](#) - coverage interpretation, residence

[CSV v. State](#) - search incident to arrest, preservation

Fourth District Court of Appeal - West Palm Beach

[Boesch v. State](#) - life sentence, minor

[Blind Monk v. USO Norge](#) - right of first refusal

[Hyatt v. Zimmerman](#) - trust termination

[O'Brian v. State](#) - juror challenge, preservation

[Howard v. State](#) - probation, special condition

[Cioffi v. Mikowitz](#) - defamation, malice

Fifth District Court of Appeal - Daytona Beach

[Taylor v. Nicholson-Williams](#) - sale contract, duty of honest and fair dealing

[Burgess v. State](#) - community control

[Crocker v. Crocker](#) - dissolution, disability benefits

[Hilton v. State](#) - postconviction relief

Sixth District Court of Appeal - Lakeland

[RX Imaging of SWFL v. Irving Radiology](#) - modification of contract

[Gonzalez v. State](#) - preservation, fundamental error

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