

# Florida Appeals Court Decisions: Week of May 22 - 26, 2023

May 27, 2023

## U.S. Eleventh Circuit Court of Appeals

*N Shore Med v. Cigna* - emergency care, insurance reimbursement

*Beasley v. O'Reilly Auto Parts* - ADA, reasonable accommodations

*King v. King* - fiduciary duty, duty to disclose, Ga law

*Mendez v. Wal-Mart* - negligence, premises liability, slip and fall, Ga law

*Wade v. Ga Correctional* - § 1983, Eighth Amendment

## Florida Supreme Court - Tallahassee

*Arbelaez v. State* - capital case, postconviction relief

*Sliney v. State* - capital case, postconviction relief

## First District Court of Appeal - Tallahassee

*Waaser v. State* - evidence, DUI

*D'Arcy v. Fla Gaming Comm'n* - taking, dog racing constitutional amendment

*McGee Tire & Auto v. Parsons* - age discrimination, mitigating damages, back pay

*Fleming v. State* - jury selection

*Genovese v. Dixon* - mandamus, prison disciplinary report

*KA v. Sunshine State Health* - initial brief, failure to identify error

*Addison v. Dixon* - mandamus, duty to rule, mootness

*Statewide GAL v. JB* - certiorari, dependency, reunification objection

## Second District Court of Appeal - St. Petersburg

*Vuchinich v. Vuchinich* - alimony

*Gladding v. Hill* - probate, fees

*Pearson v. State* - postconviction relief

## Third District Court of Appeal - Miami

*State Farm v. Cent Therapy* - leave to amend, affirmative defenses

*BW v. DCF* - dependency, evidence

*Hawks Nest v. Westchester* - prejudgment interest

*Crawford v. Monroe Cnty* - leave to amend, complaint

*Gomez v. Gomez* - statute of frauds, joint venture, unjust enrichment

## Fourth District Court of Appeal - West Palm Beach

*Deloatch v. State* - sexual misconduct, patient, §394.4593(2)

*Williams v. State* - expunction, criminal history, human trafficking, §943.0583

*Tucker v. LNV* - appellate preservation; attorney's fees

*Winrow v. Heider* - marital dissolution, prenuptial agreement

*Clase v. State* - sentencing

*Nat'l Equity v. Imperial Fund* - certiorari, foreclosure, surplus, stay

*Huete v. Huete-Sierra* - marital dissolution

*Wolf v. Wolf* - vacating default judgment, rule 1.540(b)

*Burns v. State* - prohibition, Stand Your Ground

*Lornamead v. Fleemin* - personal jurisdiction, minimum contacts, asbestos

*Domnin v. Domina* - prohibition, judicial disqualification

## Fifth District Court of Appeal - Daytona Beach

*St Marks Pond v. Boles* - temporary injunction, bond

*Cooper v. State* - Anders appeal, investigative costs, probation

*Alexander v. State* - ineffective assistance, trial

## Sixth District Court of Appeal - Lakeland

*Smith v. Lyles* - new trial, improper testimony

*SRF Servs. v. Tower Hill Prime* - insurance, policy construction

*Covington v. State* - suppression of evidence

*Travel Ins. Facilities v. Naples Comm. Hosp.* - personal jurisdiction

*Pipher v. Pipher* - domestic violence injunction

*Bensen v. Privilege* - insurance, policy construction

*Adv. Fla. Med. Grp. v. Progressive* - pleading affirmative defenses

*Boggs v. Dep't of Revenue* - child support

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