

Florida Appeals Court Decisions: Week of October 30-November 3, 2023

November 03, 2023

U.S. Eleventh Circuit Court of Appeals

PRN Real Estate v. Cole - bankruptcy, discharge

Land v. Jackson Cnty Sheriff - qualified immunity, state agent immunity

Pernell v. Andrade - discovery, state legislators, privilege

Florida Supreme Court - Tallahassee

In re Fla R Civ P - amended rule 1.280

Ellison v. Willoughby - setoff, bad faith settlement, personal injury damages

First District Court of Appeal - Tallahassee

Diggs v. Cushman - access and utility easement

Swearingen v. State - emotional testimony, fundamental error

Igou v. Jimmie's Truckstop - certiorari, vocational examination, requirements of law

Broer v. FSU BOT - sovereign immunity

Knapp v. Harling - rule 1.442, settlement proposal

Green v. State - postconviction relief

Jones v. State - appellate jurisdiction

Second District Court of Appeal - St. Petersburg

Jean-Foster v. State - sentencing

DJB v. Largo - amended pleadings, summary judgment continuance, due process, estoppel

McGhee v. In re Estate of McGhee - probate, dismissal, notice

Nyenhuis v. State - forfeiture, replevin

DOR v. Pizarro - child support, administrative jurisdiction

Third District Court of Appeal - Miami

Davis v. Tookes - defamation, absolute immunity

Molina v. Fuenmayor - parental rights, termination

Jimenez v. State - postconviction relief

Alarcon v. Dagen - attorney's fees, *Rosen* factors

Alan v. Sandy T. Fox, P.A. - appellate jurisdiction, non-final order

Fourth District Court of Appeal - West Palm Beach

Bernstein v. Bernstein - rehearing, alimony, marital assets

Murphy v. Suarez - alimony termination, retroactive

Cont Connections v. DOD Holdings - compulsory counterclaim

Darling v. Ill - res judicata

Aguilera v. Agustin - dissolution, valuation

Belony v. N. Broward Hosp - administrative remedies, FCRA

Flopro v. EOX Tech - recoverable costs

Givogue v. Lighthouse Bay - injunction, notice

Baker v. State - costs, domestic violence surcharge

Bixby v. ECP Capital - final order, time to amend

Smith v. Capital One Auto - accord and satisfaction, summary judgment

AcostaFigueroa v. State - certiorari, self-defense immunity, timeliness

Fifth District Court of Appeal - Daytona Beach

Discount Tire v. Bradford - wrongful death, directed verdict; internal policies, duty

Chauncy v. Gorden - will, interested party, standing

Keebler v. State - postconviction relief

LC v. EO - termination, parental rights, standard of review

Sixth District Court of Appeal - Lakeland

No decisions this week

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