

Florida Appeals Court Decisions: Week of June 17-21, 2024

June 21, 2024

U.S. Eleventh Circuit Court of Appeals *Rosales-*

Mendez v. US Att’y Gen - immigration, removal hearing, notice

Tanner v. Stryker - FMLA, retaliation

USA v. Harding - extrinsic evidence, limiting instruction, new trial

Va Redding v. Coloplast - products liability, mesh implant, limitations period

Spears v. Patel - FLSA, individual as liable employer

PB Legacy v. Am Mariculture - magistrate judge participation in trial, lack of consent

USA v. Harden - search and seizure

Florida Supreme Court - Tallahassee

DeSantis v. Dream Defenders - riot, participation, 11th Circuit certified question

In re J Woolsey - judicial discipline

In re Family L Forms - amended forms

First District Court of Appeal - Tallahassee

Ford v. State - aggravated stalking, evidence, substantial emotional distress

Richardson v. State - double jeopardy

Smith v. State - prohibition, immunity from prosecution

Simmons v. State - similar act evidence

Heath v. State - continuance; evidence, prior incidents

Second District Court of Appeal - St. Petersburg

Carter v. State - search and seizure

DW v. State - discovery violation, *Richardson* hearing

Zuniga-Mejia v. State - postconviction relief

Irick v. Jones - lack of trial transcript

Whitacre v. Ragan - timesharing, modification, due process

Norman v. RAAC - unemployment, referee’s decision, time to appeal

Third District Court of Appeal - Miami

Philip Morris v. Chadwell - Engle-progeny action, reliance, evidence

Hernandez v. State - speedy trial waiver, evidence

Katha v. SHEDDF3-AE - foreclosure, standing, assignment

Health & Wellness v. Infinity - letter of representation, hearsay

951 Harbor Dr v. SD Constr - claim-splitting, waiver

Del Valle v. SafePoint - preservation, insufficient record

Fuentes v. Link - quiet title, conveyance, evidence

Imani Elite Props v. City of Mia - jurisdiction, exhaustion of administrative remedies

Mendez v. CASA Fin Holdings - rule 1.540(b)(5) motion

Zanah v. Account Servs - FDCPA, debt validation

Valdes v. Verona at Deering Bay CA - premises liability, notice

City of Mia Beach v. Brockhouse - dismissal, notice, due process

Carbonell v. Glade - proceedings supplementary, sanctions, homestead

Ortega v. Burger King - premises liability, independent contractor, punitive damages

Djurasevic v. Thompson - foreclosure, standing

Imperial Air Servs v. Flores - service, insufficient record

Smith v. Smith - timesharing, evidence

Hart v. Dade Cnty Fed Credit Union - insufficient record

XBTO Mining v. Crypto Caverns - temporary injunction, evidence

Aguilar v. Ocana - insufficient record

Vazquez v. B & R Supermarket - referee's findings

Angilot v. DOR - child support, evidence, preservation

BD v. DCF - certiorari, mental health examination

Fourth District Court of Appeal - West Palm Beach

Noel v. State - probation, restitution

Publix v. Safonte - constructive knowledge, slip and fall

Malley v. Malley - parenting plan

Carmel v. Fleicher - standing, interested person

Bailey v. PTIC - insurance, bad faith

Hasbrouck v. State - oral plea withdrawal

Fifth District Court of Appeal - Daytona Beach

Conde v. Conde - dissolution, goodwill, multi-member medical practice

Rosenberg v. Rosenberg - certified question; dissolution, goodwill, medical practice

Bison Roofing v. Gentile - dismissal, withdrawal, new counsel

SW v. DCF - Medicaid benefits

Hazan v. Reid - civil battery, lack of transcript, preservation

Sloan v. Fisher - new trial, closing argument

Morgenier v. J Dickert Pop Health Svcs - certiorari; discovery, confidential health information

JL v. State - Anders appeal, corrected order

[Orlando Health v. Mohan](#) - rehearing; punitive damages, amendment; intent, gross negligence

[Harris v. State](#) - habeas corpus **Sixth District Court of Appeal - Lakeland**

[King Reyes Transport v. Baker](#) - dilatory litigation tactics

[State v. Petit-Frere](#) - death sentencing procedure

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