

Florida Appeals Court Decisions: Week of May 13-17, 2024

May 17, 2024

U.S. Eleventh Circuit Court of Appeals

(11th Circuit written opinions archive) *In re Baycare* - mandamus, Patient Safety & Quality Improvement Act, document disclosure

Lange v. Houston Cnty Ga - insurance, transgender coverage, Title VII

Drazen v. Pinto - class action, approval, collusion, TCPA, CAFA

Florida Supreme Court - Tallahassee

(Florida Supreme Court written opinions archive) *Askew v. DCF* - conflict jurisdiction, misapplication
In re Fla R Civ P - amended rule 1.061

Ford v. Marceno - pro se sanctions

First District Court of Appeal - Tallahassee

(1st DCA written opinions archive) *Cooper v. State* - coercive interaction, judge and jury; recalling jury

Second District Court of Appeal - St. Petersburg

(2d DCA written opinions archive) *Berkley Ins v. Banc of Am* - tortious interference, premature fee award

Univ P&C v. Laguna Riviera - condo legislation, retroactivity, vested rights, certified conflict

ANW v. State - indirect criminal contempt

Williams v. Bambery - prohibition, sua sponte appointment to investigate guardian

Parks v. State - postconviction relief

Andrews v. State - Franks hearing, search and seizure

Third District Court of Appeal - Miami

(3d DCA written opinions archive) *Grove Harbour v. Grove Bay* - rehearing, fraud

Rainess v. Perez - tax deed sale, notice

Cobb v. State - postconviction relief

Mia Beach v. Guyton - dismissal of charge, concurrence

Pla v. Rierson - comparative negligence, evidence, impeachment

Safe Harbor v. 9775 Dixie - foreclosure, specific performance, default

5051 NW 37 Ave v. IES Sales - writ of possession, rent

Abreu v. Aurora Loan - settlement agreement enforcement, jurisdiction

Uni of Mia v. Jones - certiorari, medical malpractice, presuit notice

Heritage v. Sunset Villas - appraisal, evidentiary hearing

Starr v. Sch Distr - substantial interests, administrative hearing

Carnevale v. Shir - mandamus, ministerial duty

Fourth District Court of Appeal - West Palm Beach

(4th DCA written opinions archive) *Lucas v. State* - restitution, SATC

Williams v. School Board - discrimination, retaliation

Deasy v. Deasy - equitable distribution, alimony

Lemartec Corp v. E. Coast Metal - attorney's fees

Moore-Bryant v. State - preservation, speculation

Padilla v. Pickett - domestic violence injunction

Mackensen v. Trace Elements - attorney's fees, PFS, apportionment

State v. Jenkins - speedy trial, waiver

US Fire Ins Co v. America Walks - arbitration

Reed v. Reed - dissolution, lack of prosecution

Fifth District Court of Appeal - Daytona Beach

(5th DCA written opinions archive) *S Marion Real Est v. Fla Gaming Ctrl* - administrative law, cardroom license-holders, gambling

Davis v. State - Anders appeal, cost of investigation

S Wild Olive v. Total Maintenance - section 57.105, fees

[Gray v. State](#) - Spencer warning, pro se

Sixth District Court of Appeal - Lakeland

([6th DCA written opinions archive](#)) [Pradaxay v. Kendrick](#) - medical malpractice, presuit investigation

[Shure v. AAOS](#) - verbatim adoption of proposed order

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

The provided links above may be available for a limited time only, as courts sometimes relocate opinions on their websites. Should that occur, please use the “written opinions archive” links provided below each court header to search for the opinion using the case name. The availability of opinions through these channels may vary and is subject to the discretion of the courts.

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