

Florida Appeals Court Decisions: Week of May 27-31, 2024

May 31, 2024

U.S. Eleventh Circuit Court of Appeals *SEC v. Keener* -

'34 Act, unregistered dealer

Snell v. United Specialty - Alabama law, insurance, "arise from," bad faith

Mills v. Ala DOC - capital case, postconviction relief

Mills v. Hamm - capital case, postconviction relief

Court - Tallahassee

Walter v. DOC - pro se sanctions

In re Fla R Juv P - amended rules

Tallahassee

Brown v. DMS - Florida Retirement System, benefits

Patterson v. State - pro se sanctions

Davis v. State - sentencing, mootness

Appeal - St. Petersburg

State v. Caulkins - probation revocation, sentencing

Hinojosa v. Hinojosa - alimony, equitable distribution

Haskell v. PCP Grp - LLC operating agreement

Lassiter v. Citizens - insurance, damage, summary judgment standard

Court of Appeal - Miami

Balbin v. State - violation of probation, sentencing

Celor Trust v. Shoma Homes - mandatory injunction

Athea v. Athea - marital equitable distribution

Gray v. State - sentencing

Marathon Lodge v. Persl - amendment of pleadings

Wood v. Royal Plus - workers' compensation, bailee of vehicle

Weiss v. Weiss - weight of evidence

Neal Gerber & Eisenberg v. Lamb-Ferrara - personal jurisdiction

Florida Supreme

First District Court of Appeal -

Second District Court of

Third District

Stav Software v. Lederman Invs - modification of purchase agreement
Universal Prop v. Moya - factual basis for economic losses
Harte-Weine-Toledo v. Toledo - section 57.105 sanctions
Bacallao v. Ruiz Janitorial Servs - slip-and-fall, custodians
Mendez v. Alvarez - sovereign immunity, state employee
Miami v. Alvarez - sovereign immunity, presuit notice
Ervin v. Alvarez - appellate jurisdiction, finality
Alvarez v. Reemployment Assistance - appellate jurisdiction, untimeliness
AB v. DCF - definition of income
Zalaquett v. Bank of New York Mellon - prima facie evidence
AB v. DCF - appellate jurisdiction, untimeliness
AP v. DCF - termination of parental rights
Lee v. State - postconviction relief
PN v. DCF - termination of parental rights
Saenz v. Sanchez - summary affirmance

Fourth District Court of Appeal - West Palm Beach

Richard v. Reyes - failure to charge crime, release
Hastings v. State - Melbourne inquiry
Beachway v. Santo & June - professional malpractice, privity
Hamilton v. State - premeditation, jury instructions
Jones v. State - competency hearing
CF Dominicana v. Am Airlines - breach of contract, luggage
Fla Dept Corr v. De La Paz - civil restitution
Frederick v. State - backstrike

Fifth District Court of Appeal - Daytona Beach

Keegan v. Neff - partition, final order
Jennings v. Durden - charitable trust, standing, breach of contract
Apex Roofing v. Sec First Ins - certiorari; discovery, trade secrets
Harold v. State - postconviction relief
Gordon v. DOR - confession of error, administrative support order
Lagano v. State - Anders appeal, scrivener's error
Levin v. State - Spencer bar, pro se

Sixth District Court of Appeal - Lakeland

Hedges v. Hamilton - restoration of capacity
IR v. State - mens rea, specific intent
Abo v. Askar - abandoning issues on appeal
Petitfrere v. Summerfield Multifamily - preservation
State v. Lobato - death sentencing procedure

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