

# Florida Appeals Court Decisions: Week of April 22-26, 2024

April 26, 2024

## U.S. Eleventh Circuit Court of Appeals

*Holden v. Holiday Inn Club Vacations* - Fair Credit Reporting Act, inaccuracies

## Florida Supreme Court - Tallahassee

*Allstate v. Revival Chiro* - insurance, PIP payments

*In re Fla R GP&JA* - corrected amendments

*In re Fla R Crim P* - amended rule 3.131

## First District Court of Appeal - Tallahassee

*Kenon v. State* - scrivener's error, sentencing

*Thompson v. Hillside Building* - duty, *McCain*

*Daniels v. State* - pro se sanctions

*Williams v. State* - postconviction relief

## Second District Court of Appeal - St. Petersburg

*RJ Reynolds v. Giambalvo* - *Engle* progeny, fraudulent concealment, punitive damages

*Duhamel v. Duhamel* - alimony, retirement account valuation

*KMG Prop v. Owl Constr* - default judgment, voidness, service of process

## Third District Court of Appeal - Miami

*Ramon v. Nanjappa* - insufficient transcript

*City of Miami Beach v. Adalberto Cosme* - waiver, dissent

[Dowdy v. State](#) - ineffective assistance

[Sieberg-Shabbick v. Shabbick](#) - setoff, pleading

[Pomelli v. Pomelli](#) - final judgment, merger

[Tower Hotel v. City of Miami](#) - temporary injunction, demolition

[Esquerra v. Jacob](#) - causation, expert testimony

[Ramona v. Direct](#) - contract, failure to read

[Universal v. Velarde](#) - successive rule 1.540(b) motions

[Snyder v. Chase](#) - intervention

[Valdes v. State](#) - ineffective assistance

[Bottling Grp v. Bastien](#) - workers' compensation immunity

[Garcia v. Milport Invs](#) - minimal offer, insufficient record

[Friedler v. Faena Hotels](#) - leave to amend, punitive damages

[Seawatch v. City of Marathon](#) - second-tier certiorari, variance, conditional use permit

[Empire Fire & Marine v. Chmilarski](#) - certiorari, issuance of payment

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

[Impulsora v. Sunshine Oriental](#) - vacatur, sale, title

## Fourth District Court of Appeal - West Palm Beach

[Palm Beach Cty v. Wilson](#) - contempt sanction, speculative, due process

[Baker v. State](#) - criminal trial, jury trial waiver

[Wenzel v. Homeowners Choice](#) - insurance, prompt notice of loss

[Price v. Torkaman](#) - eviction, s. 83.56(3), notice, defenses

## Fifth District Court of Appeal - Daytona Beach

[Kinkaid v. DOR](#) - child support, arrears; confession of error

[Duran v. Crab Shack](#) - summary judgment, slip and fall

## Sixth District Court of Appeal - Lakeland

[Joerger v. Lake Alfred Place](#) - rent determination, entitlement to hearing

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