

Florida Appeals Court Decisions: Week of December 16-20, 2024

December 20, 2024

U.S. Eleventh Circuit Court of Appeals *NLRB v.*

ArrMaz Products - collective bargaining, election

Lubin v. Starbucks - class action, ERISA, arbitration

USA v. Ogiekpolor - speedy trial

Florida Supreme Court - Tallahassee

Craft v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

Fogarty v. State - sexual battery, helpless, evidence, inference-stacking

Nipper v. State - defendant's absence at trial

Mooney v. State - murder, evidence, lesser included

Rhodes v. State - appellate jurisdiction, plea withdrawal

Williams v. State - probation violation

Anderson v. State - striking initial brief, *Anders*, certified question

Anderson v. State - striking initial brief

Beecher v. State - search and seizure

Barnes v. State - animal cruelty

Second District Court of Appeal - St. Petersburg

Young v. State - plea withdrawal

Watson v. State - probation revocation

Eskra v. State - probation revocation

Cancel v. Cancel - equitable distribution

Campana v. Trabold - no contact order

Third District Court of Appeal - Miami

Meruelo v. Pine Tree Dev - foreclosure, mootness

Leggett v. State - postconviction relief

Meruelo v. Meruelo - marital settlement, mootness

Dixon v. World Fiber Techs - new trial, additur
Jacome v. People's Tr - late notice, presumption of prejudice
State v. Lainez - *Miranda* rights, request for lawyer
Marsdreamland v. MTGLQ Invs - foreclosure, surplus funds
SafePoint v. Schnepel - denial of coverage, post-loss conditions, waiver
Morris v. City of Mia - public records request, deposition
EPR 10 v. Wilson - deficiency judgment, evidence
Gomez v. Nichols - receivership, leave to sue, insufficient record
Citizens v. Jaehnig - jury instructions
Tien v. Tax Collector - declaratory relief, cause of action
Krapff, Gray & Nightengale Props v. Wilmington Tr - findings, evidence
Diaz v. Dixon - habeas, previously raised matters
Ferreira v. MTGLQ Inv - insufficient record
Scott v. Stewart - malicious prosecution, recusal of judge, insufficient record
Pulwer v. Pearl Brothers - appellate jurisdiction
Gabbay v. Invin Beach - possession of dwelling unit, rent
Aria Reserve 5005 v. S Park Tower - temporary injunction, evidentiary hearing
Trujillo v. Garcia - lis pendens, action for damages
Oria v. Velastegui - parenting plan, modification, default

Lugo v. State - certiorari, trial transcripts, access

Fourth District Court of Appeal - West Palm Beach

Atwell v. State - probable cause, DUI, citizen arrest
Fla Citizen's Alliance v. Indian River - Sunshine Law, textbook committee
Bronner v. Longden - paternity, acknowledgment, fraud, due process

Fifth District Court of Appeal - Daytona Beach

Staly v. Izotova - sovereign immunity, notice requirements, § 768.28(6)
N Brevard Cnty Hosp Dist v. Deligdish - certiorari; immunity, dismissal
Jones v. State - postconviction relief
Dugan v. State - postconviction relief
Young v. State - postconviction relief, jurisdiction
Brodman v. State - ineffective assistance, appellate

Clark v. Hahn - personal injury, biomechanical expert testimony, scope

Sixth District Court of Appeal - Lakeland

Green v. State - evidence suppression
Reyna-Duran v. State - postconviction relief

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

[Story v. State](#) - summary disposition

[KD v. State](#) - Richardson hearing

[Concepcion v. Diaz](#) - summary disposition

[De Souza v. State](#) - postconviction relief

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