

Florida Appeals Court Decisions: Week of July 29-August 2, 2024

August 02, 2024

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

Candelario - Rooker-Feldman

Compulife v. Newman - copyright infringement, trade secret theft

ECB USA v. Chubb - insurance, canons of interpretation

Doe v. Emory Univ - Title IX, sex discrimination, implied contract

McCarthy v. Cordele GA - employment discrimination, race, motive

Moore v. Cecil - defamation, personal jurisdiction

Affordable Aerial Photo v. Property Matters - copyright infringement, prevailing party fees

USA v. Macrina - evidence, recorded conversation, code of ethics, bribery instruction

USA v. Davis - search and seizure, geofence warrant, standing

Gilmore v. Ga DOC - §1983, strip search, prison visitor, qualified immunity

USA v. Thomas - sentencing

Florida Supreme Court - Tallahassee

No decisions this week

First District Court of Appeal - Tallahassee

Wells v. Wells - rule 12.490, finality, appellate jurisdiction

Ward v. Dixon - pro se sanctions

Smith v. DeSantis - belated appeal, civil matter

Walker v. Cape Food Props - temporary injunction, findings

Land 'N Sea v. McDonald - workers' compensation, appellate jurisdiction, nonfinal order

Second District Court of Appeal - St. Petersburg

Loumpos v. Raymond James - bank account, tenancy by entireties, certified conflict

EN v. DCF - attorney sanctions, bar referral

Oliver v. State - child hearsay

Englewood Comm'y Hosp v. Sarasota Cnty - sovereign immunity, indigent care

Third

District Court of Appeal - Miami

[Orr v. AT&T Mobility](#) - dismissal, incorporation by reference

[Stein v. Fava Design Grp](#) - breach of contract, evidence

[Quintero v. State](#) - restitution, evidence

[Duffner Fam Tr v. Duffner Living Tr](#) - breach of lease, remedy

[MacMullin v. Findlay](#) - arbitration, proposal for settlement

[Rosales v. State](#) - search of vehicle, probable cause

[Ehrlich v. Hogle](#) - dismissal, record activity

[Hanna v. Hemelberg](#) - small claims, authorized motions, referral to rules committee

[Omega v. MSP Recovery Claims](#) - venue

[Gonzalez v. Dabbah](#) - certiorari, deposition

Fourth District Court of Appeal - West Palm Beach

[Marotta v. State - Miranda](#)

[Miller v. Moore](#) - disgorgement, service

[Boca View Condo v. Lepselter](#) - attorney's fees

[Seven Restaurants v. Tulecki](#) - changed expert opinion

[Aristilde v. Dep't Health](#) - license, nurse

[Izard v. Bois](#) - sanctions, required findings

[Testa v. Dolphin Suite](#) - intervene

[Dowers v. Johnson](#) - paternity, custody, relocation

Fifth District Court of Appeal - Daytona Beach

[McGary v. Pacifica Daytona](#) - additur, pain and suffering

[Baxter v. State](#) - rehearing *en banc*, plain smell doctrine, certified conflict

[Gillespie v. State](#) - direct criminal contempt, rule 3.830

[Leitner v. Leitner](#) - summary judgment, warranty deed, undue influence

[Vavra v. State](#) - sentencing, restitution, costs

[Higgins v. Citrus Hills POA](#) - special concurrence; administrative remedies, exhaustion

[Sanders v. State](#) - Anders appeal, cost of investigation

[Griffin v. State](#) - probation revocation, scrivener's error

Sixth District Court of Appeal - Lakeland

[Ward v. Citibank](#) - reasonableness of legal expenses

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.

Related Practices

Appellate & Trial Support

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.