

Florida Appeals Court Decisions: Week of November 11-15, 2024

November 15, 2024

U.S. Eleventh Circuit Court of Appeals *Baxter v. Florida* *Hendren* - appellate jurisdiction, not pursuing claim, § 1983, excessive force, battery Supreme Court - Tallahassee

DOC v. Gould - discharging jurisdiction, conflict, attempted sexual battery

Citizens of FL v. Fay - PSC review, power grid improvement, striking expert First District Court of Appeal - Tallahassee

Wester v. State - RICO, certified question

McKee v. State - lay testimony, "grooming" behavior; instructions, lesser included

Pula v. Dixon - pro se sanctions

Wood v. Polisknowski - habeas corpus, summary affirmance

Voegele v. State - postconviction relief

Birdsong v. State - sentencing

Meeks v. State - pro se sanctions

Bravo v. Johnson - prohibition, child support, UCCJEA

Lawrence v. State - habeas corpus Second District Court of Appeal - St. Petersburg

Donahue v. Donahue - equitable distribution

Day v. Hydrologic Dist - temporary injunction, former employee

Toorak Cap v. Cap Serv - pleading requirements, contractual modification

Grant v. Kunke - estates, reasonably ascertainable creditors

Straub, Seaman & Allen v. Quality Auto - personal jurisdiction

McDaniel v. State - habeas corpus, forensic client Third District Court of Appeal - Miami

Ruth v. Lubow - summary judgment, rehearing, new evidence

Lugo v. State - postconviction relief

Rojas v. Otero - equitable distribution, reservation of jurisdiction

Pipistrel Italia v. Ciccolini - personal jurisdiction, intent to serve market in forum state

Zanzi Asset Mgmt v. 2G Food - setoff, settlement

Quesada Valdes v. 1313 Ponce de Leon Bldg - summary judgment, contradiction by record

City of Mia Beach v. Kwartin - certiorari, noise ordinance, vagueness

Hsu v. Atassi - personal jurisdiction, no findings

Lozano v. Est of Leon-Lozano - donative intent, no hearing

Lloyd v. State - postconviction relief

Universal X Rays v. Infinity - prohibition, disqualification of judge

Fourth District Court of Appeal - West Palm Beach

Lopez v. State - confrontation clause; Zoom; harmless error

United Cab v. Muller - proposal for settlement; attorney's fees; setoffs

Green v. State - mistrial; juror misconduct; internet search

Nat'l Loan v. Tabernacle - foreclosure; sanctions; proposed judgment, acceptance

Vitalia Residents' Assoc v. Vitalia - Homeowners' Association Act; developer turnover, assessments

Primecare Network v. Payroll - default final judgment; any paper, due process, notice

All Purpose Title v. Knobloch - fiduciary duty; escrow agent; proper party

Universal Prop v. Williams - default final judgment; due process; notice; transcript

Fifth District Court of Appeal - Daytona Beach

Muurahainen v. TJX - trip hazard, open and obvious

Smith v. Smith - dissolution, equitable distribution

Moncrief v. Kollmer - medical malpractice, medical expert, pre-suit verification

Crocker v. Waldron - appellate preservation

Mickler v. Triplett - car accident, preexisting injuries

Grant v. State - withdraw plea; sentencing, impermissible factors

Watson v. Spencer - presumptive paternity, fraud

King v. State - probation revocation, violent felony offender, written order

Summers v. State - certiorari; sentence modification

Crandall v. State - mandatory cost

Robinson v. State - habitual felony offender, predicate convictions

Brown v. State - written sentence, oral pronouncement

Baker v. Jordan - election, disqualify candidate

JR v. DCF - parental rights, termination, substantial evidence

Sixth District Court of Appeal - Lakeland

CT v. TG - appellate attorneys' fees

Murray v. State - postconviction relief

[Lai v. State](#) - inconsistent verdict

[State v. Banda](#) - sentencing, double jeopardy

[Decker v. Cerisme](#) - summary adjudication

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