

Florida Appeals Court Decisions: Week of October 14-18, 2024

October 18, 2024

U.S. Eleventh Circuit Court of Appeals *Siples v. BR*

Exploration - Daubert, causation testimony, toxic exposure

Lozman v. Riviera Bch - eminent domain, comprehensive plan, ripeness

Hidroelectrica Santa Rita v. AIC - arbitration, vacatur

In re Grand Jury - appellate jurisdiction, grand jury subpoena, objections

GEICO v. Glassco - Fla Motor Vehicle Repair Act

Jimenez v. DHS - FOIA, visa revocation

Florida Supreme Court - Tallahassee

Fla Bar v. Alva - attorney discipline

Boatman v. State - capital case, direct appeal

First District Court of Appeal - Tallahassee

BAM Trading v. OFR - en banc, emergency suspension order, money services company

Robinson v. State - sentencing

State v. Oliff - nolle prosequere, due process

Lavinder v. Bryson - alimony, contempt

Charo v. State - certiorari, appeal, summary affirmance

Enfinger v. State - mandamus, mootness

Rahaim v. Dixon - certiorari, appeal, summary affirmance

Second District Court of Appeal - St. Petersburg

State v. LC - search and seizure, show-up procedure

Santiago v. State - continuance, erroneous denial

State v. Harris - search and seizure, blood draw

Matos v. State - sentencing

Gibson v. US Bank - § 57.105, sanctions, fee award

Rouson v. DOR - child support

Burgos v. Vargas - UCCJEA, notice

Third District Court of

Tampa v. Foottit - sovereign immunity

Appeal - Miami

McCartney v. State - speedy trial violation

Azin v. State - firearm, evidence, preservation, improper comments

Burnell v. State - right to confrontation, preservation

Advanced Design v. Zein - foreign judgment, vacatur, settlement agreement

Mantilla v. State - playback, absence of judge, waiver

AAA Cap Funding v. Desange - coverage, damages, evidence

Hernandez v. Heritage - summary judgment, continuance

Felder v. State - ineffective assistance, tape, jury instructions

Almeyda v. Almeyda - residency, evidence

State v. Harris - self-defense, evidence

People's Tr v. Hernandez - failure to mitigate, prejudice

McLane Foodservice v. Wool - punitive damages, amendment, dissent

Pinkney v. State - Richardson hearing, harmless error

Lopez v. Mel-Mont Med - promissory note, sua sponte summary judgment

Cruz v. Clyne - sanctions, dismissal, written findings

Merfe Constr v. Morales - attorney's fees

Cruz v. Morales - relocation of child, evidence

Homeowners v. Albury - golden rule

Jacobs v. Jacobs - order granting motion to dismiss, appellate jurisdiction

Marathe v. Molina Healthcare - corrective payments, ripeness

PAJ Inv Grp v. El Lago NW 7th CA - dismissal, easements

Utile v. State - postconviction relief

SM v. DCF - certiorari, disposition, evidence

LoCascio v. State - habeas, barred claims

Bourlakova v. Landau - forum non conveniens, Kinney factors

Smith v. Rodriguez - stalking, legitimate purpose

Davis v. State - reasonable suspicion

Dunaj v. Worley - custody, child support, evidence

Perez v. State - postconviction relief

McNae v. Fitzgerald - personal jurisdiction, breach of contract

JC v. DCF - termination of parental rights, egregious abuse

Investcom Constr v. Plaza Del Prado CA - prohibition, dismissal, vacatur, invited error

Thomas-McDonald L Firm v. Silva - certiorari, protective order, witness

Smith v. City of Mia - second-tier certiorari, scope of review

McIntyre v. State - rehearing, habeas, waived issues

Booker v. State - postconviction relief

Milian v. State - habeas, ineffective assistance

Fourth District Court of

Appeal - West Palm Beach

[Aliff v. Weiss](#) – additur; contract damages; invited error

[Peterson v. State](#) – prosecution cost; investigation cost

[Danny’s Fuel v. Brinks](#) – improper service; corporation; registered agent

[Giacomaro v. Brossia](#) – paternity; timesharing; speculative findings

[Gabriel v. State](#) – animal attack; Stand Your Ground; statutory construction

Fifth District Court of Appeal - Daytona Beach

[Dwight v. Dwight](#) - permanent periodic alimony, downward reduction

[Heather v. Spencer](#) - paternity, voluntary acknowledgement, fraud

[Beres v. Relx](#) - appellate jurisdiction; attorney’s fees, entitlement

[Calvert v. Surrency](#) - compel arbitration, standing

Appeal - Lakeland

[Harris v. Gilzean](#) - preservation, standing

[Progressive v. Fla Hosp Ocala](#) - policy and statutory construction

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

[Gunsby v. Mackey](#) - calculation of damages

[Harrison v. NC3 Systems](#) - personal jurisdiction

[Chabla v. Streinikov](#) - summary disposition

Sixth District Court of

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