

# Florida Appeals Court Decisions: Week of February 12 - 16, 2024

February 16, 2024

## U.S. Eleventh Circuit Court of Appeals

*Smart v. COII Ronald England* - qualified immunity

*Akridge v. Alfa Mut Ins* - ADA

*Bowen v. DOC* - § 2254, *Miranda*

*Monroe v. Bd of Regents Ga* - False Claims Act, sovereign immunity for States

*Calhoun v. Warden, Baldwin State Prison* - habeas corpus

*SEC v. Almagarby* - securities, unregistered dealers

*Rudolph v. USA* - collateral attack on sentence, plea agreement

## Florida Supreme Court - Tallahassee

*Steele v. Comm'r of Soc Sec* - certified question, inheritance rights

*In re R Reg Fla Bar* - amended bar rule

## First District Court of Appeal - Tallahassee

*Orange Cnty FFA v. Orange Cnty Comm'rs* - unfair labor practices

*Pickford v. Taylor Cnty Sch Dist* - summary judgment, striking affidavit

*Daise v. State* - postconviction relief

*Fla Wildlife Fed v. Fla Legislature* - mootness, environmental challenges

*SEI Fuel Servs v. DOR* - tax refund, overpayments

*Rogers v. Dixon* - habeas corpus

*Fagan v. Jackson Cnty Hosp Dist* - sovereign immunity, notice to DFS

## Second District Court of Appeal - St. Petersburg

*Haskell v. PCP Group* - business dispute, operating agreement interpretation

*Gale Force Roofing v. Am Integrity Ins* - insurance, assignment of benefits, § 627.7152

*Darst v. West Coast Grp Enters* - appellate standing

*GAL v. SS* - certiorari, dependency, intervention

## Third District Court of Appeal - Miami

*Cantens v. Certain Underwriters* - notice of intent to litigate, retroactivity of section 627.70152(3)

*Frazier v. State* - disqualification of judge, preservation

*Citizens v. Peipert* - prejudgment interest, appellate jurisdiction

*Malik v. State* - dismissal of charge

*Highway 1 v. Andris* - contract formation, mutual assent

*Cardenas v. Bank of New York Mellon* - foreclosure, insufficient record

*Findlay v. Star Lakes* - unauthorized motion, appellate jurisdiction

## Fourth District Court of Appeal - West Palm Beach

*Pozos v. State* - sentencing, nonstate prison sanction

*Desbrunes v. US Bank* - suggestion of death, abatement

*Lee v. State* - resisting officer, non-unanimous verdict

*Garcia v. Moreno* - lump sum alimony, agreement

*Agriesti v. Agriesti* - fee award, appellate jurisdiction

*Yatak v. La Placita* - punitive damages, fraud in the inducement

*Ningbo Daye v. Int'l Global* - personal jurisdiction, forum selection

*Johnson v. State* - Eighth Amendment, juvenile, life sentences, certified conflict

## Fifth District Court of Appeal - Daytona Beach

*Manago v. State* - remand, sentencing, § 775.082(1)(b)

*Hevia v. State* - probation violation, written order

*Veltman v. State* - Anders appeal, written order

*Last v. State* - restitution, calculation error

*Walsh Grp v. Zion* - supplemental authority, strike

*Lesbar Enterprises v. Baker* - dismissal, prejudice

*Rease v. State* - Spencer warning, pro se

## Sixth District Court of Appeal - Lakeland

*Arroyo v. State* - sentencing, double jeopardy

*Wellsprings Residence v. AHCA* - administrative review, improper modification of findings

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