

Florida Appeals Court Decisions: Week of January 22 - 26, 2018

January 22, 2018

U.S. Eleventh Circuit Court of Appeals

[US v. Presendieu](#) - plea, sentencing

[LMP v. Broward Cnty Sch Bd](#) - IDEA, standing

[US Commodity Futures Trading Comm v. Southern Trust Metals](#)- Commodities fraud

[Keister v. Bell](#) - preliminary injunction, first amendment

[Madison v. Ala DOC](#) - order vacating opinion

[US v. Llewlyn](#) - sentence reduction

[Georgia v. Pruitt](#) - preliminary injunction, CWA

[Smith v. RJ Reynolds](#) - Engle, comparative fault

[Humana Med Plan v. Western Heritage Ins](#) - en banc

Florida Supreme Court – Tallahassee

[Anderson v. State](#) - capital case, postconviction relief; *Hurst*

[Finney v. State](#) - capital case, postconviction relief; *Hurst*

[Hartley v. State](#) - capital case, postconviction relief; *Hurst*

[Jeffries v. State](#) - capital case, postconviction relief; *Hurst*

[Kelley v. State](#) - capital case, postconviction relief; *Hurst*

[Lightbourne v. State](#) - capital case, postconviction relief; *Hurst*

[Morris v. State](#) - capital case, postconviction relief; *Hurst*

[Stewart v. State](#) - capital case, postconviction relief; *Hurst*

[Trepal v. State](#) - capital case, postconviction relief; *Hurst*

[Trotter v. State](#) - capital case, postconviction relief; *Hurst*

First District Court of Appeal – Tallahassee

[Christian v. State](#) - competency hearing

[Johnson v. State](#) - jury selection

[Ferrandino v. Riley](#) - non-party subpoena

[Betts v. State](#) - pro se sanctions

[Harrison v. Lee Auto](#) - appellate jurisdiction, summary judgment

[Allen v. State](#) - untimely appeal

[Thomas v. State](#) - double jeopardy; fees and costs

[Perez v. State](#) - competency hearing

[Homestead v. Foust](#) - workers' compensation

[Delgado v. AHCA](#) - Medicaid lien, wrongful death settlement

[Speegle v. Rhoden](#) - injunction, stay, companion criminal case

Second District Court of Appeal – Lakeland

[Richards v. State](#) - sexual predator registration

[Bermudez v. State](#) - double jeopardy

[Baker v. State](#) - probation revocation

[Wirth v. State](#) - sentencing

[PHH Mort v. Parish](#) - foreclosure, default, paragraph 22

Third District Court of Appeal – Miami

[State v. Shine](#) - sentencing

[Two Islands v. Clarke](#) - real property, easements, litigation privilege

[Burton v. State](#) - court appearance, video confession

[Jester v. Pawley](#) - unjust enrichment, limitations

[Leggett v. State](#) - grant theft, intent

[Holmes v. State](#) - pro se sanctions

[Banco de los Trabajadores v. Cortez](#) - personal jurisdiction, mootness

[Cadet v. State](#) - jail credit

[McKenzie v. State](#) - belated appeal

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

Fourth District Court of Appeal – West Palm Beach

[Barton v. State](#) - search and seizure; cell phone

[Goldman v. Lustig](#) - dockage rights; easements

[DFG Group v. Heritage Manor](#) - attorney's fees; damages

[Newton v. State](#) - booking photograph; evidence

[Clark v. State](#) - hood or mask enhancement; s. 775.0845

[Longo v. Assoc Limousine](#) - impleader; proceedings supplementary

[Kirschner v. Kirschner](#) - marital settlement agreement

[Cabo Flats Jupiter v. Dawley](#) - garnishment; summary judgment

Fifth District Court of Appeal – Daytona Beach

[State Farm v. Harmon](#) - remittitur, future medical expenses

[21st Century v. Smith](#) - harmless error

[Penton v. Orange Cnty](#) - lease, convention center, water damage

[Sargent v. State](#) - right to counsel

[Wells v. State](#) - probation revocation

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