

Florida Appeals Court Decisions: Week of March 19 - 23, 2018

March 19, 2018

U.S. Eleventh Circuit Court of Appeals

[EEOC v. Exel](#) - discrimination, vacatur

[Essex Ins v. Barrett Moving & Storage](#) - Carmack Amendment

[Woldeab v. Dekalb Cnty Bd of Ed](#) - Title VII, leave to amend

[US v. Johnson](#) - search and seizure

[Nice v. L-3 Comms Vertex Aerospace](#) - collateral order, interlocutory review

[Drummond Co v. Conrad & Scherer](#) - interlocutory review, crime-fraud exception

[CSX Transp v. Ala Dept of Rev](#) - Revitalization and Regulatory Reform Act

Florida Supreme Court – Tallahassee

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

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

[Gutierrez v. Vargas](#) - treating physicians, one expert/specialty; rebuttal

[Fla Bar v. Gilbert](#) - attorney discipline

[In re Std Jury Instr \(Crim\)](#) - amended instructions

First District Court of Appeal – Tallahassee

[Baker v. Economic Research](#) - venue

[Gibbons v. State](#) - felon with firearm

[Williams v. State](#) - judicial recusal, stating basis

[Jefferson v. State](#) - search and seizure
[Davison v. Berg](#) - injuries caused by dog
[Wallace v. State](#) - aggravated assault, cane

Second District Court of Appeal – Lakeland

[Hubbard v. State](#) - sentencing, *Anders*
[McFarlane v. State](#) - intent to sell
[Larry v. State](#) - third-party confession
[Bright House v. Cassidy](#) - rule 1.442, proposal for settlement
[Tracey v. Wells Fargo](#) - conforming to evidence
[State v. TAK](#) - delinquency, probation revocation

Third District Court of Appeal – Miami

[Mullen v. Bal Harbour](#) - injunction, referendum, charter amendment
[Ctrl Carillon Bch CA v. Garcia](#) - taxes, class action, defendant class, condominium

Fourth District Court of Appeal – West Palm Beach

[Villanueva v. State](#) - sentencing
[Addison Const v. Vecellio](#) - satisfaction; set off
[Biondi v. State](#) - traffic citation; jurisdiction
[Whynes v. American Security Ins](#) - s. 626.9551(1)(d); force-placed insurance
[Waverly 1 and 2 v. Waverly](#) - condominium association; Declaration
[Vieira v. Pennymac](#) - foreclosure, lost note, standing, amendment
[Rouffe v. Citimortgage](#) - foreclosure, involuntary dismissal
[Desantis v. State](#) -- sentencing
[Stein v. BBX Capital](#) - shareholder claim; fraud; dismissal
[Tenzer v. Guardianship of Tenzer](#) - appellate jurisdiction
[McGraw v. State](#) - search and seizure

[Washington Mutual Bank v. Miller](#) - foreclosure; scope of mandate

Fifth District Court of Appeal – Daytona Beach

[Roberts v. State](#) - closing argument, fundamental error

[Castanos v. State](#) - re-cross examination

[Fletcher v. State](#) - ineffective assistance

[Brown v. State](#) - ineffective assistance

[Gimonge v. Gimonge](#) - child pick-up order

[Castro v. State](#) - ineffective assistance

[Anderson v. State](#) - incorrect sentence, mootness

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