

# Florida Appeals Court Decisions: Week of March 2 - 9, 2018

March 02, 2018

## U.S. Eleventh Circuit Court of Appeals

[Burkhart v. RJ Reynolds](#) - *Engle* progeny

[Shaw v. City of Selma](#) - § 1983, qualified immunity

[US v. Nelson](#) - Sixth Amendment

[Tobinick v. Novella](#) - attorney's fees, Lanham Act

## Florida Supreme Court – Tallahassee

[In re R Reg Fla Bar](#) - attorney advertising rules

[Victorino v. State](#) - capital case, postconviction relief

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

[Guardado v. State](#) - capital case, postconviction relief

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

## First District Court of Appeal – Tallahassee

[TR & SNF v. AHCA](#) - licensure, nursing home

[Jones v. Jones](#) - equitable distribution

[Kines v. State](#) - fundamental error, police interview

[Ervin v. State](#) - extortion

[Ringenberg v. Ringenberg](#) - family law, attorney's fees

[Adkison v. Morey](#) - preservation of error, invited error

[Lake City Fire v. Lake City](#) - arbitration, vacating award  
[Tallahassee Mem v. Dukes](#) - certiorari, discovery, audit records

## Second District Court of Appeal – Lakeland

[Baskin v. State](#) - police interview, due process  
[Givens v. Holmes](#) - stalking injunction  
[State v. Robinson](#) - certified conflict; stay of mandate  
[Cuevas v. State](#) - juvenile sentencing  
[State v. Carrier](#) - constitutionality, forging animal health document  
[Crescenzo v. Simpson](#) - probate, will, caveat  
[Daskalopoulos v. Citizens](#) - trying unpled issue  
[Stern v. State](#) - sentencing, *Graham*

## Third District Court of Appeal – Miami

[Loor v. State](#) - appellate jurisdiction, vacating opinion  
[Ashear v. Sklarey](#) - tax deed, attorney's fees  
[Fincantieri-Cantieri v. Yuzwa](#) - personal jurisdiction  
[Nationstar v. Silva](#) - foreclosure, ¶ 22  
[Parrondo v. State](#) - instructions, omitted element  
[Perez v. State](#) - ineffective assistance  
[Muhtar v. Wilmington Sav](#) - foreclosure sale, vacatur  
[IB v. State](#) - resisting officer  
[FDOT v. Sarnoff](#) - home venue privilege  
[Meskinoff v. FQ Backyard](#) - eviction, subject matter jurisdiction

## Fourth District Court of Appeal – West Palm Beach

[London v. State](#) - burglary; *Miranda*; double jeopardy  
[Tequesta v. Luscavich](#) - FRCA; retaliation  
[Theophile v. State](#) - sentencing  
[Castaneda v. Castaneda](#) - alimony arrearage, amount  
[Wal-Mart v. Thornton](#) - remittitur

[Lizano v. State](#) - sentencing

[Citigroup Mortgage v. Scialabba](#) - foreclosure; condition precedent; notice

[Jones v. State](#) - fraud; credit card

[Desai v. Bank of NY Mellon](#) - foreclosure; statute of limitations; res judicata

[CSC Serviceworks v. Boca Bayou](#) - unlawful detainer

[Nationstar v. Martins](#) - foreclosure; attorney's fees

[Lakmaitree v. 21st Mortgage](#) - foreclosure; attorney's fees

[Albassam v. Klob](#) - Rule 1.540; foreign divorce

[Waterview Towers v. West Palm Beach](#) - attorney's fees

[IB v. Adoption of ZES](#) - adoption; parental rights

[Joshua v. State](#) - judge; disqualification

[Boothe v. US Bank](#) - jurisdiction pending appeal

## Fifth District Court of Appeal – Daytona Beach

[Faris v. Southern-Owners](#) - dismissal, *Kozel* factors

[Deutsche Bank v. Miller](#) - foreclosure, limitations

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

[DCF v. Kamaluddin](#) - certiorari, involuntary commitment

[DW v. State](#) - certiorari, competency

[Sparrow v. State](#) - habeas corpus, bond

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