

Florida Appeals Court Decisions: Week of April 22 - 26, 2019

April 27, 2019

U.S. Eleventh Circuit Court of Appeals

US v. Pavlenko - standing

Fresh Results v. ASF Holland - forum non conveniens

Muransky v. Godiva Chocolatier - class action settlement, FACTA

Security Walls v. NLRB - NRLA

Inprotsa v. Del Monte Intl - international arbitration

Hard Candy v. Anastasia Beverly Hills - trademark, Seventh Amendment

Sears v. Roberts - § 1983, summary judgment standard

Florida Supreme Court - Tallahassee

Barber v. State - pro se sanctions

Citizens of Fla v. Brown - utility costs, FP&L

Israel v. DeSantis - quo warranto, sheriff suspension

First District Court of Appeal - Tallahassee

So Baptist Hosp v. AHCA - rule challenge, Medicaid reimbursements

Davis v. State - en banc, sentencing, lack of remorse, certified question

Milton v. State - competency

Tolbert v. State - criminal restitution

Wells v. State - premature appeal

Fernanders v. State - severance

MBC Gospel Net v. Fla News - promissory note, original

Levin v. State - postconviction relief

Thompson v. State - postconviction relief

King v. State - probation revocation

Sapp v. State - sentencing

Delon v. State - postconviction relief

Boyd v. State - probation violation

Browner v. Browner - premature appeal

Second District Court of Appeal - Lakeland

Elder v. State - motion to enforce mandate

Feaster v. State - Stand Your Ground, certified conflict

Old Dominion v. Tipton - rule 1.442, settlement proposal, neutral evaluation

RMA v. JAS - paternity, child support, fees

Hills Sch Bd v. Woodford - certiorari, whistle-blower claim, dismissal denial

Nipper v. Suncoast Credit - summary judgment standard, collection case

AD v. DCF - parental rights, termination

Bermudez Gomez v. State - plea withdrawal, trial court jurisdiction

Dipasquale v. Dipasquale - marital settlement agreement

Horton v. State - Stand Your Ground, certified conflict

Champagne v. State - sentencing, certified question

Mott v. DeSoto Sch Bd - school expulsion, zero tolerance policy

Dominguez v. Dominguez - certiorari, discovery, law firm records

Hirald v. State - sentencing

Crandall v. State - sentencing

Third District Court of Appeal - Miami

OneWest Bank v. Palmero - en banc, foreclosure, reverse mortgage, condition precedent

All Seasons CA v. Patrician Hotel - specific performance, condominium building, agency, statute of frauds

CEC Ent v. Zaldivar - closing argument, fundamental error

Fresnedo v. Porky's Gym - release

Estrada v. Estrada - rule 1.540, void judgment

Quinoes v. State - pawnshop ownership verification, stolen property

Martin v. State - double jeopardy

De Diego v. Barrios - equitable lien, homestead

Megacenter US v. Goodman Doral - sales contract, real property

Safirstein v. DOH - physician, license revocation

Northwind Air v. Terra's Garden - personal jurisdiction

TM v. State - evidence, 911 audio

Clark v. Celebrity Cruises - forum selection clause

DD v. State - probation revocation

Rodriguez v. State - closing argument

Johnson v. State - pro se sanction

Epstein v. Brunel - service of process

Filomia v. RAAC - Applegate affirmance

Miami Dade Col v. del Pino Allen - certiorari, deposition, apex doctrine

Stanley v. Ramsay - pro se sanctions

Forte v. Miami-Dade Cnty - second-tier certiorari, historic designation

Shir Law v. Carnevale - certiorari, discovery, electronic data

Torres v. State - rule 9.141, ineffective assistance, timeliness

Fourth District Court of Appeal - West Palm Beach

Estate v. Seidman - psychologist-patient; litigation privilege

Carnahan v. Novell - limine motion; waiver; proffer

Perera v. Diolife - oral modification; written contract

Florez v. Broward Sheriff - negligence; false arrest

Florida Inv Grp 100 v. Lafont - contract interpretation

Edelman v. Citizens Prop Ins - summary judgment evidence

Event Depot v. Frank - punitive damages; certiorari

State v. Morris - auto license frame; s. 316.605(1)

Bank of NY v. Fla Kalanit 770 - foreclosure; allonge, date

Fifth District Court of Appeal - Daytona Beach

Rodriguez v. State - habeas corpus, pretrial release

Smith v. Rodriguez - non-reliance provision, contract; fraud, chapter 475

Jones v. State - judicial immunity

Williams v. State - postconviction relief

Shelko v. State - sentencing, fundamental error

Shamrock-Shamrock v. Remark - nonparty, duty to preserve evidence

Rogers v. State - probation revocation, written order

Antinarelli v. State - probation violation

Cole v. State - sentencing

Dennis v. State - Spencer warning

Mann v. State - belated appeal, certiorari

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