

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

Estape 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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