

Florida Appeals Court Decisions: Week of August 12 - 16, 2019

August 16, 2019

U.S. Eleventh Circuit Court of Appeals

US v. Brown - excessive force, sentencing

Carvelli v. Ocwen Fin Corp - securities fraud

Lewis v. Union City - ADA

Florida Supreme Court - Tallahassee

Bowles v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

Smiley v. State - wiretap law, privacy

Wright v. State - recalcitrant witness, striking testimony

Ansley v. State - collateral crime evidence

Caudle v. State - postconviction relief

Hudson v. State - aiding and abetting murder, evidence

Mackey v. State - second degree murder, evidence

Yacob v. State - postconviction relief

Graham v. State - sentencing, equal protection

Ford Motor CC v. Arwine - debt collection, collateral, disposition

Freeman v. Crochet - lack of transcript

Hotchkiss v. BCBS - FDUTPA

Davis v. State - competency; sentencing

Marshall v. State - postconviction relief

Hollonbeck v. Hollonbeck - § 61.16, fees; timesharing

Harrell v. Ryland Grp - statute of repose, attic ladder

Abruscato v. State - written opinion request, sentencing

Savell v. State - prohibition, best evidence rule

Second District Court of Appeal - Lakeland

Barrientos v. State - *Miranda*

State v. Monroe - *Miranda*

Pirate's Treasure v. Dunedin - zoning, declaratory action, torts, standing

Barnett v. State - double jeopardy

Morejon-Medina v. State - ineffective assistance, double jeopardy

Perez v. State - postconviction relief

Rogers v. State - second-tier certiorari, circuit court appeal dismissal

Third District Court of Appeal - Miami

Fla Retail Fed v. Coral Gables - styrofoam, home rule, preemption

Lopez-Macaya v. State - domestic battery, evidence, preservation of error

Miccosukee Tribe v. Lewis Tein - settlement proposal, good faith

Ryland v. State - postconviction relief

Orban v. Rorrer - civil contempt

Lamoise Grp v. Edgewater S Beach CA - rule 1.540, voidness

Raven v. Roosevelt REO - foreclosure, summary judgment, defenses

Smith v. State - postconviction relief

Pino v. CGH Hosp - fraud on court, sanction

Rosa v. State - sentencing

Hanna v. State - postconviction relief

Fourth District Court of Appeal - West Palm Beach

Logue v. Book - injunction, stalking

In re Kirby - attorney's fees, notice

Lucas v. Hutchinson - vicarious liability, vehicle

Wallace Buick v. Rite Way Auto - personal jurisdiction

Lifetime Guarantee Admin v. Kaminsky - lack of prosecution, notice

Wilson v. Wilson - prenuptial agreement, elective share

Robinson v. State - postconviction relief

Wiley v. State - sentencing, sanctions

Cruz v. State - jail visitor log, public record

Hernandez v. State - calendar call, waiver of appearance

Fifth District Court of Appeal - Daytona Beach

Marini v. Kellett - paternity, time-sharing

Hubbard v. Berth - dissolution, pension, marital portion

Spence v. State - postconviction relief

Wishinsky v. Choufani - dismissal, constructive fraud, fiduciary duties

Williams v. State - postconviction relief

McKeehan v. State - *Spencer* warning, pro se

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