

# Florida Appeals Court Decisions: Week of December 16 - 20, 2019

December 21, 2019

## U.S. Eleventh Circuit Court of Appeals

*Hallums v. Infinity Ins* - insurance

*Geico Marine Ins v. Shackleford* - insurance, admiralty

*Crawford's Auto Ctr v. State Farm Ins* - RICO, fraud, unjust enrichment

## Florida Supreme Court - Tallahassee

*Bogle v. State* - capital case, postconviction relief

*Hooks v. State* - *Faretta* inquiries

*Sparre v. State* - capital case, postconviction relief

*In re Fla R Jud Admin* - parental leave continuance

*Davis v. State* - speedy trial, arrest

*Woodward v. State* - jurisdiction discharged, contempt

*Knight v. State* - jury pardon, fundamental error, manslaughter instruction

*Am S Home Ins v. Lentini* - insurance, collector vehicle policy, limited UM coverage

*Lieupo v. Simon's Trucking* - Water Quality Act, personal injury damages

*Love v. State* - Stand Your Ground, retroactive application

*Sanchez v. Miami-Dade* - sovereign immunity, dead conflict

*In re Fla Std Jury Instr (Crim)* - amended instructions

*In re Fla Std Jury Instr (Crim)* - amended instructions

*In re Fla Prob R* - amended rules

*In re Fla R Crim Pro* - amended rules

*In re Fla R App Pro* - amended rules

*In re Fla Std Jury Instr (Crim)* - amended instructions, substantive issues

*In re Fla Std Jury Instr (Crim)* - amended instructions

*Adv Op re Minimum Wage* - citizen initiative ballot review

*In re Fla Std Jury Instr (Crim)* - amended instructions

## First District Court of Appeal - Tallahassee

*State v. Brumelow* - search and seizure, inevitable discovery

*Knots v. State* - hearsay

*Jones v. Jones* - marital dissolution, medical expenses, child support

*Hauser v. Goodwill* - workers' compensation

*Partlow v. State* - postconviction relief, supplementing record

*Miller v. N Fla Eval & Treat Ctr* - involuntary medical treatment

*McDonald v. Jacksonville* - workers' compensation

*Dubose v. Dubose* - equitable distribution

*Gray v. AHCA* - Medicaid lien, reduction

*Mojica v. AHCA* - Medicaid lien, reduction

*Johnson v. State* - drug trafficking

*Baxter v. State* - administrative procedure, jail credit

*AW v. APD* - administrative review, Medicaid waiver

*Nilio v. State* - postconviction relief

*Wiener v. Taylor Morrison* - arbitration

*Phillips v. State* - sentencing, Eighth Amendment

*Porter v. State* - alibi disclosure, public defender lien

*Howell v. Balchunas* - medical malpractice, presuit

*Black Point Assets v. OCWEN* - foreclosure, default

*De Hoyos v. Bauerfeind* - child hearsay, domestic violence

## Second District Court of Appeal - Lakeland

*Githler v. Grande* - securities, certified conflict

*State v. JRD* - search and seizure, police error

*Suess v. Suess* - marital settlement agreement, fees

*State v. Stephens* - certiorari, state operational plan

*Durrance v. RJ Reynolds* - *Engle* progeny, limitations defense

*Bentley v. State* - law enforcement identification

*Pierce v. US Bank* - stipulated dismissal, withdrawal

*Mirabella v. Mirabella* - child support, imputed income

## Third District Court of Appeal - Miami

*Biza v. Galway Bay HA* - class certification, mobile homeowners

*State v. Amaya* - search and seizure

*Freixa v. State* - grand theft, value

*Kamal-Hasmat v. Loews Miami Bch* - hotel, duty to post lifeguard  
*Kitchen v. Cerullo* - child custody, scope of relinquishment  
*Bank of NY v. Figueroa* - certiorari, discovery  
*Poole v. DeFranko* - medical malpractice caps, constitutionality  
*Quintero v. State* - pro se sanctions  
*Abouelseoud v. AIM Recovery* - second tier certiorari, appellate jurisdiction  
*Alger v. US* - second tier certiorari, zoning, standing  
*Vargas v. Baez* - summary affirmance  
*Hechevarria-Figuerro v. State* - postconviction relief  
*Chacon v. Junior* - habeas corpus  
*Smith v. Junior* - habeas corpus

## Fourth District Court of Appeal - West Palm Beach

*Epps v. State* - sentencing  
*Gulfstream Park Racing v. MI-V1* - guarantor liability  
*Hines v. State* - competency hearing  
*Guy v. State* - voir dire, *Richardson*  
*McLendon v. Palm Beach IG* - attorney's fees, public records  
*Nangle v. Nangle* - alimony, ability to pay  
*Savoia v. Fitness Int'l* - exculpatory clause, avoidance  
*Peterson v. Pollack* - statutory immunity

## Fifth District Court of Appeal - Daytona Beach

*Roberts v. State* - Stand Your Ground  
*Davis v. Maloch* - alimony  
*State v. Randolph* - license, dismissal  
*Mason v. State* - sentencing  
*Cash v. State* - plea withdrawal  
*Washington v. State* - sanctions  
*Andrews v. State* - sentencing  
*GEICO v. Accident & Injury Clinic* - PIP  
*Magill v. State* - sentencing  
*DOR v. Robinson* - contempt  
*Justus v. State* - jail credit  
*Woods v. State* - postconviction relief

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