

# Florida Appeals Court Decisions: Week of December 30, 2019 - January 3, 2020

January 04, 2020

## U.S. Eleventh Circuit Court of Appeals

*Henley v. Payne* - § 1983

*Bearden v. El Du Pont de Nemours* - contract interpretation

*US v. Hill* - search & seizure

*Nat Assoc of the Deaf v. Fla* - ADA, Rehab Act, immunity

*Nesbitt v. Candler Cnty* - False Claims Act

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*State v. Petagine* - hazing; speedy trial

*State v. Kluttz* - hazing

*Allen v. State* - sexual battery, performance; video voyeurism

*Jakubowski v. State* - *Williams* rule; hearsay, medical diagnosis

*Mathis v. State* - sexual battery; evidence, suicide attempt

*Taylor v. State* - sentencing

*Hicks v. State* - sentencing

*Smith v. State* - sufficiency of evidence, trial court review, standard

*Traffanstead v. State* - psychotherapist-patient privilege, assessments, evidence

*Ford v. State* - certiorari

## Second District Court of Appeal - Lakeland

*Jupiter House v. Green Tree* - foreclosure, standing

*WJM v. State* - grand theft

*White v. State* - burglary, criminal mischief

*Stover v. Stover* - domestic violence injunction, timesharing, mootness

*Paylan v. Goudie* - certiorari, pro se sanctions

*Tortorella-Andrews v. Delvecchio* - certiorari, physician referral by counsel

## Third District Court of Appeal - Miami

*GAL v. Viajehoy* - Cuban Assets Control Regulations, Trading With Enemy Act

*HSBC Bank v. Fla Kalanit* - foreclosure, lost note

*Miami-Dade Exp v. Elec Trans Cons Corp* - breach of contract, alternative forum, prejudgment interest

*Cura v. Cura* - alimony, imputed income

*Quintero v. Diaz* - defamation, absolute immunity

*KR v. State* - concealed weapon; recalling witness

*Santiago v. Leon* - stalking injunction

*Murphy v. Osorio* - real property, quiet title

*Carter v. Vidal* - circuit court jurisdiction, amount in controversy

*SB v. El Fance* - habeas corpus

## Fourth District Court of Appeal - West Palm Beach

No decisions this week.

## Fifth District Court of Appeal - Daytona Beach

*Cerrato v. State* - child pornography, double jeopardy, sentence

*Ramirez v. State* - grand theft, stolen property, Section 812.025

*Real Estate Solutions v. Viera East* - declaratory judgment, HOA assessments

*Hobby Lobby v. Cole* - employment, arbitration

*Latimore v. State* - postconviction relief

*Goode v. State* - competency, sentence

[Adams v. State](#) - community control, violation

[Adams v. State](#) - postconviction relief

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