

# Florida Appeals Court Decisions: Week of December 2 - 6, 2019

December 07, 2019

## U.S. Eleventh Circuit Court of Appeals

*Amezcu-Preciado v. US* – immigration

## Florida Supreme Court - Tallahassee

*In re Fl Fam Law R Pro* - amended forms

*State v. Ivey* - voir dire, preserving challenges

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

*In re Fla R Civ Pro* - amended rules

*In re Fam L Forms* - amended forms

*Baysen v. State* - pro se sanctions

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

## First District Court of Appeal - Tallahassee

*Newcome v. State* - postconviction relief

*McDuffey v. State* - sentencing

*Mosley v. State* - rule 3.853, DNA testing

*Rentz v. State* - plea withdrawal

*West v. State* - direct criminal contempt

*Grace v. State* - postconviction relief

*DBPR v. Fla Horsemen's* - non-final agency action, irreparable harm

*Fla Horsemen's v. DBPR* - non-final agency action, irreparable harm

*Le v. Colonial Freight* - nondelegable duty

*Crosier v. Crosier* - Applegate affirmance

*Spencer v. Deutsche Bank* - appellate jurisdiction, timely appeal

*Williams v. State* - eyewitness identification instruction

*Lynn v. State* - postconviction relief

## Second District Court of Appeal - Lakeland

*JK v. State* - burglary

*Chipman v. State* - sentencing, jurisdiction

*Robinson v. Nationstar* - foreclosure, standing, rehearing

*Herrera v. State* - probation revocation

*Richard v. Asset Mgmt* - foreclosure, debt amount

## Third District Court of Appeal - Miami

*Coral Gables v. Garcia* - appellate jurisdiction, standing; relation back, nonclaim statute; intervention

*Walters v. AHCA* - probate, homestead, certified question

*US Bank v. Stokes* - foreclosure

*Michel v. State* - probation revocation

*295 Collins v. PSB Collins* - breach of contract, specific performance

*Tanis v. HSBC* - foreclosure sale

*Conrad FLB Mgmt v. Diamond Blue* - promissory notes

*McDade v. State* - postconviction relief

*Andreas Stihl v. Villata* - personal jurisdiction

*Bluebone Dev v. Malibu Bay* - foreclosure sale, due process

*Miami-Dade v. Morejon* - certiorari, unretained expert

*Jackson v. State* - pro se sanctions

## Fourth District Court of Appeal - West Palm Beach

*Jones v. State* - sentencing

*White v. State* - sentencing

*Velazquez v. State* - probation; appellate jurisdiction

*Barberian v. State* - sentencing

## Fifth District Court of Appeal - Daytona Beach

*US Bank v. Leigh* - foreclosure, default letter

*RJ Reynolds v. Brown* - affirmance, cross appeal dismissal

*Jones v. State* – postconviction relief

*Gabriel v. State* – certified conflict, certified question; sentence

*State v. RLS* – competency, independent determination

*Austin v. State* – postconviction relief

*Kitchen v. State* – postconviction relief

*Simmons v. State* – *Anders*; written sentence, oral pronouncement

*Manning v. State* – *Spencer* warning, pro se

*Smith v. State* – *Anders*; probation, written order

*Franklin v. State* – postconviction relief

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