

# Florida Appeals Court Decisions: Week of February 18 - 22, 2019

February 23, 2019

## U.S. Eleventh Circuit Court of Appeals

*US v. Amodeo* - appellate standing, vacatur challenge

*US v. Pickett* - sentencing

*US v. Harris* - Hobbs Act; limiting closing argument

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*Melendez v. Eversole* - certiorari, punitive damages

*Asphalt Paving v. Anderson Columbia* - administrative standing

*Grasso v. Grasso* - marital dissolution, life insurance

*Bradshaw v. State* - single course of conduct

*Armstrong v. State* - sentencing

*Dyck-O'Neal v. Lanham* - deficiency action

*Corbett v. State* - postconviction relief

*Bass v. State* - obstruction, possible conflict

## Second District Court of Appeal - Lakeland

*Hall v. Bush* - certiorari, clerk's default

*Phillips v. Phillips* - certiorari, discovery

*Lewis v. State* - double jeopardy

*Perez v. Deutsche Bank* - foreclosure, involuntary dismissal, ¶ 22

*Rodgers v. State* - search and seizure

*KH v. State* - resisting officer

*Phillips v. State* - self-defense jury instruction

## Third District Court of Appeal - Miami

*Auerbach v. State* - competency

*Papunen v. Bay Nat'l* - title insurance, release

*Abitbol v. Benarroch* - comity, stay, parallel litigation

*Eduarte v. FNMA* - surplus funds

*Sanabria v. Sanabria* - parental relocation

*Simeon v. State* - postconviction relief

*Cousins v. Post-Newsweek* - defamation, presuit notice

*Allende v. Veloz* - child custody

*Gonzalez v. State* - evidence, prior acts

*Rogers v. State* - public records

*Bruce v. State* - sentencing

*Vasallo Tome v. Herrera-Zenil* - forum non conveniens

*Obermeyer v. Bank of NY* - fees for fees

*Williams v. Jessica Kerr PA* - missing transcript

*Burneo v. United Auto* - conditional fee award

## Fourth District Court of Appeal - West Palm Beach

*Toole v. State* - restitution; certified question

*King v. State* - transferred intent

*George v. Gilbert* - attorney's fees, due process

*Dorsey v. State* - sentencing

*Perlmutter v. Olympus Ins Co* - sanction, involuntary dismissal

*FedEx v. Sims* - attorney's fees, discovery

*Paul v. Avrahami* - appellate attorney's fees, sanction

*Serna v. State* - sentencing, testimony

*AG v. Bilotti* - FDUTPA, injunction

*State v. Thomas* - judgment of acquittal

*Funderburk v. State* - plea, scrivener's error

*Simmons v. State* - competency hearing

*James v. State* - double jeopardy, sentencing

*Taylor v. State* - sentencing, unsworn statement

[Stein v. Charles](#) - fraud on the court

# Fifth District Court of Appeal - Daytona Beach

[Otero v. Arcia](#) - dismissal, legal malpractice

[DOR v. Amico](#) - child support, modification

[Duxbury v. State](#) - murder, suppression

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

[Breger v. Robshaw](#) - proposal for settlement

[Winter Green v. Ware](#) - injunction, HOA board

[JW v. State](#) - juvenile; conviction, sentence, written findings

[Collazo v. State](#) - scrivener's error

[Safepoint Ins Co v. Schmitz](#) - appellate jurisdiction, stay

[Dunbar v. State](#) - pro se, Spencer bar

[McCaffrey v. Ashley](#) - stalking injunction

[Buffardi v. Citizens](#) - concession of error

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

[Younkin v. Blackwelder](#) - certified question, certiorari; discovery, expert payments, CME

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