

# Florida Appeals Court Decisions: Week of February 25 - March 1, 2019

March 02, 2019

## U.S. Eleventh Circuit Court of Appeals

No decisions this week

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*Barry v. State* - consolidation, collateral crime evidence

*Knapp v. Knapp* - child support, venue

*Lanier v. State* - child neglect

*Windsor Falls v. Davis* - attorney's fees, fees for fees, findings

*State v. Dougherty* - sentencing

*Pearce v. Boudreaux* - child relocation

*Leon v. Lakeshore Gardens* - certiorari, eminent domain, parties

*Otis v. Craig-Myers* - crime-fraud exception

*RJ Reynolds v. Olson* - untimely appeal

*Lee Mem'l v. AHCA* - Medicaid services, aliens, audit

*Cape Mem'l v. AHCA* - Medicaid services, aliens, audit

*Davis v. Steak 'n Shake* - settlement proposal, amended pleading

*Smith v. State* - probation revocation

*Grandison v. State* - postconviction relief

*Askew v. State* - postconviction relief

*Martinez v. State* - postconviction relief

*Elliott v. State* - postconviction relief

## Second District Court of Appeal - Lakeland

*Sammons v. State* - right to counsel

*In re Engle Progeny* - jury selection, cause challenge

*Nelson v. State* - search and seizure

*Johnson v. State* - competency

*Student Loan Trust v. Meyer* - loans, breach, standing

*Elliott v. State* - right to counsel

*FL-7 v. SWF* - fees reversal, following merits

*Harper v. GEICO* - insurance, bad faith, cure

*Love v. State* - postconviction relief

*Tracey v. Wells Fargo* - insufficient evidence, scope of remand, certified question

*Kenf v. Jabez Restor* - unjust enrichment, damages

## Third District Court of Appeal - Miami

*Tejera v. Lincoln Lending* - limitations, fraud, delayed discovery

*Vision v. Coscan* - settlement enforcement

*AA v. State* - prohibition, delinquency, contempt

*Brito v. S Fid P&C* - sham pleadings

*Evans v. Murphy* - rule 1.540, amended motion, law of the case

*Del Pino Allen v. Santelises* - defamation, absolute immunity

*Perez v. Dwyer* - lack of transcript

*Polanco v. Citizens* - judicial assignments, review

## Fourth District Court of Appeal - West Palm Beach

*Warthen v. State* - sentencing

*Cone v. US Bank* - equitable subrogation, lien

*Thompson v. State* - sentencing

*Martinez v. State* - references to public official; unfair prejudice

*Ice Legal v. Nationstar* - sanctions; due process

*Lake Worth Surgical v. Gates* - trade secrets, confidentiality order

*First Church v. Site Concepts* - venue, place of payment

# Fifth District Court of Appeal - Daytona Beach

*Darden Restaurants v. Singh* - tax assessment, tangible personal property

*Rodriguez v. Rodriguez* - dissolution, income withholding

*Kempton v. McComb* - negligence, comparative fault, alcohol or drug defense

*Henry v. State* - sentencing, scrivener's error

*QA v. State* - competency, written order

*Gilchrist v. State* - sentencing, juvenile

*Welch v. State* - postconviction relief, *Spencer* warning

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