

Florida Appeals Court Decisions: Week of July 29 - August 2, 2019

August 03, 2019

U.S. Eleventh Circuit Court of Appeals

Gorss Motels v. Safemark Systems - TCPA

US v. Feldman - double jeopardy

In re Navarro - sentencing, successive motions

In re Palacios - sentencing, successive motions

City of Miami Gardens v. Wells Fargo - standing, FHA

Paez v. Fla DOC - habeas corpus

Al-Amin v. Ga DOC - habeas corpus

In re Pollard - sentencing, successive motions

Peoples Gas v. Posen Constr - utilities, indemnification, certified question

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Williams v. State - fundamental error, new trial standard

State v. Gainesville Woman Care - abortion, 24-hour waiting period

Eversole v. State - right to counsel, police interview

SBCR v. Doss - workers' compensation

Palmentere Bros v. Copeland - settlement proposal

Abaunza v. State - sexually violent predator commitment

MJM Elec v. Spencer - workers' compensation

Publix v. Carter - workers' compensation

Second District Court of Appeal - Lakeland

Wilson v. State - postconviction relief

Nieves v. State - search and seizure, resisting officer

Foster v. State - postconviction relief

Gammage v. State - double jeopardy, postconviction relief

Johnson v. State - postconviction relief

Cooper v. Cooper - alimony, findings

Jeansimon v. State - closing argument, state's burden, police credibility

State v. MBW - search and seizure

JS v. State - Richardson hearing

Third District Court of Appeal - Miami

Pena-Vazquez v. State - double jeopardy

Lattanzio v. Hoffmann - order striking pleadings

State v. Martin - post-*Miranda* statements

Lovest v. Mangiero - guardianship

FP&L v. Cook - certiorari, corporate deposition

Byrd v. State - pro se sanctions

Windhaven Ins v. Mesquita - certiorari, corporate deposition

EPV v. DCF - mental health exam

Garcia v. State - belated appeal

Olive v. Glansen - second-tier certiorari, appellate fees

Fourth District Court of Appeal - West Palm Beach

Kemp v. State - *Daubert*

Taylor v. State - sentencing

Miller v. Homeland Prop Assn - summary judgment, business judgment rule

Collins v. Auto Partners - summary judgment, Graves Amendment

Sidiq v. Tower Hill - insurance, assignment

Yanofsky v. Isaacs - sanctions, unliquidated damages

Postma v. Baker - contract interpretation

Manor Oaks v. Campbell - healthcare surrogate, arbitration

Zieler v. State - competency, jurisdiction

Simeone v. State - certification, veterans' court

[Norman v. Jaimes](#) - recorded lien, constructive notice

Fifth District Court of Appeal - Daytona Beach

[Mootry v. Bethune-Cookman](#) - improper closing argument

[Manor House v. Citizens Prop Ins](#)- certified question; insurance

[Wells Fargo v. Stephenson](#) - foreclosure, standing

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

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

[Johnson v. State](#) - *pro se* warning

[Gray v. State](#)- *Spencer* warning

[White v. State](#) - sentencing

[Gardner v. State](#) - *Spencer* bar

[Wynn v. State](#) - sentencing

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