

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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