

# Florida Appeals Court Decisions: Week of June 24 - 28, 2019

June 29, 2019

## U.S. Eleventh Circuit Court of Appeals

*Overlook Gardens Props v. Orix USA* - appellate jurisdiction

*US v. Lewis* - sentencing

*LJ v. School Bd of Broward Cnty* - IDEA

*In re Yerian* - bankruptcy

## Florida Supreme Court - Tallahassee

*In re R Reg Fla Bar* - misleading ads

*In re Fla R Jud Admin* - confidentiality, court records

## First District Court of Appeal - Tallahassee

*Banks v. Alachua Cnty Sch Bd* - contract reformation, limitations, dismissal

*Rosier v. State* - en banc, competency, preservation of error

*Turner v. State* - inconsistent verdict

*Hall v. DOH* - nursing license revocation

*Morris v. State* - postconviction relief

*Keith v. State* - preservation of error

*State v. Harvey* - sentencing

*Cole v. State* - double jeopardy

*Rosenblum v. Rosenblum* - child support

*Bullock v. Bayview Loan* - foreclosure, res judicata

*Gary v. State* - sentencing

## Second District Court of Appeal - Lakeland

*Gudur v. Gudur* - equitable distribution, alimony, fees

*Rioux v. State* - sentencing

*Will v. Will* - alimony, equitable distribution, life insurance

*Taylor v. State* - criminal contempt, reversing factual findings

*Bailey v. State* - sentencing

*Durrance v. RJ Reynolds - Engle* progeny, limitations period, directed verdict

*JAH v. State* - theft, burglary, evidence

*Caterino v. Torello* - stalking, evidence

*Goff v. Goff* - attorney disqualification

## Third District Court of Appeal - Miami

*Wallace v. Comprehensive* - probate, incapacity, medical records, pleadings

*Rodriguez v. State* - DNA testing

*Smith v. State* - postconviction relief

*Stok v. Turnberry 12G* - certiorari, discovery, third-party privilege

*Wilson v. State* - sentencing

*Am Integrity v. Estrada* - insurance, fraud defense, agreed post-loss obligations

*Alfonso v. State* - identification, exclusion

*Cascar v. Coral Gables* - Bert Harris Act

*GEICO v. Steinger, Iscoe* - insurer, charging lien, duty to protect

*Nolasco v. State* - competency

*Pierre v. Bueven* - parental responsibility, timesharing

*Eddy Leal PA v. Benitez* - continuance

*Collins v. State* - plea withdrawal

*IT v. DCF* - parental rights, termination

*Edwards v. State* - search and seizure, flash drive at work

*GAL v. HK* - parental rights, termination

*Miami-Dade v. Harris* - prohibition, whistleblower claim, exhaustion

*Corner Land v. Annex Ind* - evidence, admission of court orders

*St Brendan v. Neff* - student expulsion

*Garcia v. State* - injunction, violation

*Utria v. State* - sentencing

*Hernandez v. Hernandez* - real property, partition

*Traficante v. Lambert* - repeat violence injunction

## Fourth District Court of Appeal - West Palm Beach

*Nationstar Mortg v. US Bank* - foreclosure; dismissal; attorney's fees

*Hegele v. State* - special jury instruction; on-duty police; duty

*Franklin v. State* - standard jury instruction; duress

*Shoreline v. Brisk* - joint venture; creation; attorney's fees; s. 517.211(6)

*Florida Holding 4800 v. Lauderhill Lending* - summary judgment; grounds; waiver

*State v. Parker* - law of the case

*Ross Dress for Less v. Higgins* - arbitration agreement; scope

*Robinson v. State* - sentencing

*Dodgen v. Grijalva* - expert discovery; non-party insurer

# Fifth District Court of Appeal - Daytona Beach

*Kvinta v. Kvinta* - dissolution, equitable distribution, support

*Riordan v. State* - sentencing; 775.082(10), constitutionality

*Stamer v. Free Fly* - franchise agreement, statute of frauds

*Hammonds v. State* - sentencing, appellate jurisdiction

*Brown v. Brown* - dissolution, lack of transcript

*Santos v. State* - withdraw plea, ineffective assistance

*Betancourth v. Leon* - domestic violence injunction, evidence

*Gomez v. State* - murder, jury instruction

*Figueredo v. State* - sentencing, license suspension

*KR v. State* - juvenile commitment, concession of error

*Ward v. State* - postconviction relief

*Register v. State* - probation violation

*Shoulders v. State* - ineffective assistance, appellate

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