

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

March 23, 2019

U.S. Eleventh Circuit Court of Appeals

MSPA Claims 1 v. Tenet Fla - Medicare

Ala DOC v. Advance Local Media - intervention, right of access

US v. St. Hubert - en banc

Orion Marine Const v. Carroll - admiralty

Ga Muslim Voter Proj v. Kemp - stay pending appeal

Lewis v. City of Union City - equal protection, comparators

Florida Supreme Court - Tallahassee

No decisions this week

First District Court of Appeal - Tallahassee

Managed Care v. Fla Healthy Kids - public records, trade secrets

Meehan v. Orange Cnty Data - workers' compensation

Steel v. State - postconviction relief

MV Senior Mgmt v. Redus - premature appeal

Wannall v. Gadsden Cnty EMS - prisoner, zone of risk

Kanter Real Estate v. DEP - oil, gas permits, administrative review

Flanagan v. State - criminal fines, costs, payment plan

Day v. State - postconviction relief

FCCI v. Pulte Home - premature appeal, provisional fee award

Second District Court of Appeal - Lakeland

Bailey v. State - sentencing

Pearson v. Pearson - equitable distribution

Topalli v. Feliciano - conditional continuance, fees

JDP v. State - delinquency

Williams v. State - witness tampering

Trice v. Trice - domestic violence injunction

Deschamps v. Smith - contempt

Gomillion v. State - certiorari, discovery, toxicology

Third District Court of Appeal - Miami

Helfrich v. State - peremptory challenge

Clarke-Morales v. Coca-Cola - costs following dismissal

Kendall Healthcare v. Madrigal - adopting proposed order; interest

Howard v. State - petit theft

Ruiz v. State - voir dire

Rierson v. Deveau - closing argument

Philip Morris v. Gloger - diagnosis through lay witness

Dray v. Duffner Shendell - trust, rescission

Fourth District Court of Appeal - West Palm Beach

Arch Ins Co v. Kubicki Draper - standing, certified question

Brooks v. State - ID evidence, acquittal

Ayos v. State - preservation, costs

Cruz v. Wal-Mart - summary judgment, burden

Rizack v. Signature Bank - personal jurisdiction, discovery

Dedominicis v. State - age, evidence

Salomon v. State - jury instruction, fundamental error; bolstering

Urribari v. 52 SW 5th Ct - judgment on the pleadings, four corners

MTGLQ Investors v. Davis - condition precedent, foreclosure

KO v. State - false name, resisting arrest

NA v. DCF - placement, jurisdiction

Fifth District Court of Appeal - Daytona Beach

HHA Borrower v. WG Yates - attorney's fees, prevailing party

Crawford v. Fannie Mae - foreclosure, subrogation, lien

Jones v. State - severed charge, collateral estoppel
State v. Phillips - certified question, Fourth Amendment
Carroll v. State - withdraw plea, appeal, jurisdiction
Ellis v. Allen - child support, noncovered medical expenses
Negron v. State - criminal, investigative costs
Kelly v. State - scrivener's error
Horvatt v. State - criminal, property seizure, timeliness
Torres v. State - community control, written order
Seaman v. Seaman - indirect civil contempt
Dhanraj v. Garcia - certified question, certiorari, attorney financial relationship
Keene v. State - postconviction relief
Horvatt v. State - *Spencer* bar, pro se
Span v. State - postconviction relief, *Spencer* warning

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