

Florida Appeals Court Decisions: Week of March 25 - 29, 2019

March 30, 2019

U.S. Eleventh Circuit Court of Appeals

Crain v. Fla DOC - subject-matter jurisdiction, substitute counsel

Marchisio v. Carrington Mortgage Servs - FCRA, FCCPA, fees

Florida Supreme Court - Tallahassee

No decisions this week

First District Court of Appeal - Tallahassee

Vereen v. State - sentencing

Brown v. Williams - forfeiture, probable cause

Brewer v. DOH - nursing license, revocation

Waters v. State - postconviction relief

Campbell v. DOT - quiet title, condemnation, estoppel

Triatik v. State - sentencing

Bowman v. Hutto - paternity, surname change

Second District Court of Appeal - Lakeland

Linen v. State - inconsistent verdicts, crimes

Diversicare v. Estate of Catt - arbitration, appellate jurisdiction

Crary v. Tri-Par Estates - special taxing district, rule enforcement

Agenor v. State - sentencing

Defrances v. Furst - property taxes, escaping taxation

Third District Court of Appeal - Miami

Tabraue v. Doctors Hosp - non-delegable duty, certified conflict

Andre v. Abreu - contempt

Zhao v. Premier Am Bank - foreclosure, standing

Pazmino v. Gonzalez - attorney's fees, multiplier

Francois v. State - sentencing

Hernandez v. Garcia - appellate jurisdiction

In Moriarty v. Thyssenkrupp - Applegate affirmance

Thomas v. State - postconviction relief, voluntary dismissal

Berry v. State - postconviction relief

Fourth District Court of Appeal - West Palm Beach

Rivera v. State - Stand Your Ground

EM v. State - direct criminal contempt; juvenile

Johnson v. State - jury instructions; fundamental error

AW v. Humana Med - Medicaid Fair Hearing; due process

Deutsche Bank v. Quintela - foreclosure; attorney's fees

Hanna v. Pennymac - foreclosure; summary judgment

Allen v. Habitat II - foreclosure; rule 1.540

Romanoff v. Lazarus - personal jurisdiction; waiver

Flaherty v. State - ineffective assistance; competency

Gincley v. State - drug court; exclusions; administrative order

Seider v. Leibner - medical malpractice; presuit

Fifth District Court of Appeal - Daytona Beach

Brower v. State - certiorari, attorney withdrawal, conflict

Cooper v. State - remand, juvenile sentence

SHP IV Harbour v. Boylan - arbitration, waiver

Sentz v. Tracy - request for admission, attorney's fees

Gaskins v. State - ineffective assistance, trial

Chimera Srvcs v. Prevatt - dismissal, failure to appear

Russell v. State - Anders, post-Miranda statements

Moss v. State - postconviction relief
Riggenbach v. Rhodes - rehearing, certiorari, med mal
Byrd v. State - sentencing, scrivener's errors
Conill-Valdes v. State - postconviction relief
Lancaster v. State - habeas corpus, certiorari
Cohen v. State- *Spencer* warning
Bouie v. State - *Spencer* warning
Howard v. State - sentencing, *Spencer* warning

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