

# Florida Appeals Court Decisions: Week of May 20 - 24, 2019

May 24, 2019

## U.S. Eleventh Circuit Court of Appeals

*Playnation Play Sys v. Velez Corp* - trademark

*Smith v. Ala DOC* - habeas corpus

*Long v. Fla DOC* - stay of execution, res judicata

*US v. Askins & Miller Ortho* - preliminary injunction

*Word v. Comm Futures Trading Comm'n* - CEA, jurisdiction

*US v. Babcock* - search & seizure

*Club Madonna v. City of Miami Beach* - ripeness

## Florida Supreme Court - Tallahassee

*In re Evidence Code* - *Daubert* returns

## First District Court of Appeal - Tallahassee

*Gaskey v. State* - *Miranda*, right to counsel, confession

*Vito v. State* - plea withdrawal

*Mallet v. State* - postconviction relief

*Halveland v. DOC* - amending pleadings, relation back

*Bordonaro v. Bordonaro* - child support

*Hicks v. DOC* - mandamus, requirements

## Second District Court of Appeal - Lakeland

*Raff v. Citimortgage* - attorney's fees, expert testimony

*Wells Fargo v. Ordonez* - tax on notes

*Underwood v. State* - trial court jurisdiction pending appeal

*Lee Cnty Sch Bd v. State Farm* - PIP benefits, sovereign immunity

*Valencia Golf v. Comm'y Resource* - prevailing party fees, dismissal, settlement

*Matlacha v. Cape Coral* - second-tier certiorari, standing, ordinance challenge

*King v. King* - equitable distribution

## Third District Court of Appeal - Miami

*Sea Vault v. Bermello, Ajamil* - arbitration, sanctions

*Pena v. Rodriguez* - paternity

*GEICO v. Perez* - fees, costs, reversal following merits

*Country Club v. Gracia* - Applegate

*Falsetto v. Liss* - release, scope

*Covenant Baptist v. Vasallo Constr* - leaky roof, limitations

*Alfonso v. Miami-Dade* - mandamus, certiorari, trial court stay

*Forte v. State* - sentencing

*Schwartz v. Banks* - mandamus, certiorari, duty to rule

## Fourth District Court of Appeal - West Palm Beach

*Aragon v. State* - lesser included instruction

*State v. Hansen* - false bomb threat

*Venezia v. JP Morgan* - foreclosure, attorney's fees

*Taylor v. Price* - petition for protection

*RL v. DCF* - termination of parental rights

## Fifth District Court of Appeal - Daytona Beach

*Amaro v. State* - postconviction relief

*SHP IV Island v. Boylan* - compel arbitration, waiver

*Beauchamp v. State* - habeas corpus

*White v. State* - probation violation, written order

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