

Florida Appeals Court Decisions: Week of May 27 - 31, 2019

May 31, 2019

U.S. Eleventh Circuit Court of Appeals

S&M Brands v. Georgia – Contract Clause, Equal Protection, immunity

A&M Gerber Chiro v. GEICO – standing, class cert, insurance

Florida Supreme Court - Tallahassee

In re Std Jury Instr (Crim) - amended instructions

First District Court of Appeal - Tallahassee

Magnanua v. State - certiorari, deposition

McBee v. State - postconviction relief

Ephron v. State - probation revocation

Escambia v. Santa Rosa OA - tax, constitutionality, public official standing

MILA ALF v. AHCA - ALF license, denial, timing, grounds

Williams v. State - mandamus, rule 3.133(b)

Cooley v. State - *Miranda*, *Williams* rule evidence

Musselwhite v. Fla Farm Gen Ins - coverage, d/b/a designation, designated premises

Ford v. Fla Hosp - FCHR jurisdiction, hospitals

Second District Court of Appeal - Lakeland

Murphy v. State - sentencing

Walker v. Walker - marital dissolution

Weitz v. State - double jeopardy

Shaw v. Shaw - alimony

Herrera v. State - sentencing

East Bay v. Estate of Djadjich - certiorari, discovery, privileges

Lee v. State - prison diet

Newby v. State - reverse *Williams* rule evidence

Franklin v. State - lesser included offense instructions

Arias v. Porter - pain and suffering, inadequate verdict

Tharp v. State - sentencing

Horowitz v. Horowitz - imputed income, alimony

EV v. DMVH - parenting plan

Sticky Holsters v. Wagner - corporate ownership

Third District Court of Appeal - Miami

Alonso v. de Zarraga - indirect criminal contempt

S Shore Condo v. The 20 CA - premature appeal

Benefit Admin v. W Kendall Baptist - default judgment, excusable neglect

Rivera v. Rivera - marital home, partition

Toscano CA v. DDA Engineers - amending pleadings, construction/design defects

Wade v. State - petit theft

Dellano v. State - mandamus, prerequisites

Fourth District Court of Appeal - West Palm Beach

Carn v. State – alibi video; discovery violation

Jones v. State – substitution of counsel; eve of criminal trial

Farrell v. State – murder; self-defense

Cleveland Clinic v. Children's Cancer – unjust enrichment; statute of limitations

Schot v. Schot – modification; parenting plan

Ellison v. State – hearsay; identification; surveillance video

Pembroke Pines v. Corrections Corp – sovereign immunity

Fifth District Court of Appeal - Daytona Beach

Manor House v. Citizens Prop Ins – consequential damages; appraisal and umpire fees

Boffo v. State – community control, revocation

Hayes v. State – driving with revoked license; motion for judgment of acquittal

Godin v. Owens – paternity, child support, recusal

Hull v. Hull – relocation, minor children

Rosenhaim v. HMC Assets – foreclosure; reservation of jurisdiction, deficiency

Nero v. State – written order

Nazia v. Amscot – temporary injunction; construction, parking spaces

Jenkins v. State – community control, revocation

Maldonado v. Orange Cty Pub Library Sys – dismissal, negligence, strict liability

Rosen v. State – scrivener’s error

CTA v. State – juvenile commitment, findings

Abramowski v. State – *Spencer* bar, pro se

Payne v. State – postconviction relief

Evans v. State – *Spencer* bar, pro se

Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.