

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

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