

# Florida Appeals Court Decisions: Week of May 6 - 10, 2019

May 10, 2019

## U.S. Eleventh Circuit Court of Appeals

*Myers v. US* - tax

*Meruelo v. IRS* - tax

*US v. Rothenberg* - restitution

*Piazza v. Hale* - qualified immunity

*Flat Creek Transp v. FMCSA* - standing

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*Wanless v. State* - expert, sanity; sentencing, separate acts

*Gloston v. State* - kidnapping, attempted sexual battery

*King v. DOH* - written opinion motion, nurse, license suspension

*Goley v. Goley* - marital dissolution, equitable distribution, alimony

*Daniel v. State* - single homicide rule, intradistrict conflict

*Segura v. State* - certiorari, jurisdiction, awaiting retrial

*Philip Morris v. Bryant* - *Engle* progeny; *veni, vidi, vici*; punitive damages

*Reid v. Daley* - circuit court jurisdiction, emotional distress damages

*Dooly v. State* - probation revocation, trial court jurisdiction

*Brown v. State* - postconviction relief

*Couperthwaite v. Couperthwaite* - parental timesharing, relocation

*Bradford v. FAMU* - whistleblower, student

*RJ Reynolds v. Cuddihee* - prohibition, judicial disqualification

## Second District Court of Appeal - Lakeland

*Thomas v. State* - constructive possession, drugs

*Famiglio v. Famiglio* - premarital agreement, interpretation

*de Rubio v. State* - postconviction relief

*Sammons v. Greenfield* - excusable neglect

*State v. Bellamy* - sentencing

*Quijano v. State* - probation violation

*Wolf v. Wolf* - marital dissolution, lack of transcript

*Blakeley v. Livorsi* - real property, material defect

*Forbes v. State* - postconviction relief

*Wilson v. Amerilife* - arbitration

## Third District Court of Appeal - Miami

*Odom v. State* - closing argument, jail call reference

*Fils-Aime v. Roberson* - § 57.105 sanctions

*LJ v. DCF* - dependency

*Albear v. Hillman-Waller* - lack of transcript

*Suarez v. Citizens* - settlement proposal, fee award

*State v. Gottfried* - certiorari, jurisdiction

*Link v. State* - mandamus, Stand Your Ground

*BJ's v. Bugliaro* - class certification

*Heath v. State* - postconviction relief

*Troncoso v. Larrain* - intervention, findings

## Fourth District Court of Appeal - West Palm Beach

*Kemp v. State* - Frye hearing, pipeline rule

*Plaza La Mer v. Delray Prop Inv* - attorney's fees, allocation

*Little v. State* - competency hearing

*Grosso v. HSBC Bank* - foreclosure, attorney's fees

*Puzio v. State* - first degree murder, mandatory minimums

*Bellezza v. Menendez* - treating physician, financial evidence

*White v. State* - presentence investigation; Sixth Amendment

*Bryant v. Geovera Spec Ins* - insurance, confession, bad faith

*Palomino v. State* - transcript

*Bornstein v. Marcus* - breach of contract  
*Hardison v. State* - probation revocation, time served  
*Almazan v. Aguilera-Valdez* - prohibition, sanctions, jurisdiction  
*Jooste v. Jooste* - child support, findings  
*Dunkley v. State* - postconviction relief  
*Kaminsky v. Hechet* - personal jurisdiction

# Fifth District Court of Appeal - Daytona Beach

*Kiley v. State* - sentencing  
*Gissendanner v. State* - investigative costs  
*Charles v. State* - postconviction relief  
*Manko v. Manko* - reopening evidence  
*Manney v. MBV Eng'g* - repose statute, construction  
*Johns v. State* - sentencing  
*Krol v. FCA* - arbitration; MMWA; certified conflict  
*McKenzie v. State* - sexual predator, trial court jurisdiction, certified conflict  
*Adams v. State* - return of personal property  
*Lancaster v. DOC* - second-tier certiorari, habeas corpus, parole violation  
*Salber v. Frye* - certiorari, expert finance arrangements; certified question  
*Dinnal v. State* - sentencing, juvenile  
*Baruchel v. Dalton* - pro se sanctions  
*US Bank v. Williamson* - certiorari, corporate representative, nonresident deposition  
*Gonzalez v. FNMA* - pro se sanctions

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