

Florida Appeals Court Decisions: Week of October 14 - 18, 2019

October 19, 2019

U.S. Eleventh Circuit Court of Appeals

US v. Pearson - sentencing
Smith v. Haynes & Haynes - FLSA
McWilliams v. Ala DOC - habeas corpus
Bailey v. Swindell - search & seizure, qualified immunity
Steiner v. US - habeas corpus, ineffective assistance
Carter v. Allen - en banc
Cvoro v. Carnival Corp - foreign arbitration
Jefferson v. GDCP Warden - habeas corpus, AEDPA

Florida Supreme Court - Tallahassee

No decisions this week

First District Court of Appeal - Tallahassee

Simmons v. State - sentencing
Smith v. State - double jeopardy
Worrell v. State - postconviction relief
Blanco v. Creative Mgmt - workers' compensation, expert qualifications
Gordon v. State - postconviction relief
Sanchez v. State - habeas corpus
Hamilton v. State - habeas corpus

Second District Court of Appeal - Lakeland

Davis v. Sheridan Healthcare - FCCPA, workers' compensation, certified question

Gannon v. Cuckler - personal jurisdiction, waiver, certified conflict

State v. Miller - search and seizure

US Bank v. Sturm - foreclosure, paragraph 22

Carpenter's Home Estates v. Sanders - certiorari, punitive damages

Heare v. State - postconviction relief

Marshall v. State - sentencing, enforcing mandate, intervening decision

Heid v. FIGA - opinion withdrawn ([this one](#))

Santiago v. Rodriguez - medical malpractice, equal protection, certified question

Third District Court of Appeal - Miami

Araujo v. Winn-Dixie - trial, letter of protection reference, spoliation instructions, fees for denying RFA

OP-G v. State - disrupting school, First Amendment; *Richardson*

Vella v. Salauas - amending pleadings; summary judgment, additional discovery

Eskenazi v. Eskenazi - personal jurisdiction, marital dissolution

Miami v. Kho - Google maps photo, authentication

Molina v. State - closing argument, bolstering by counsel

Fourth District Court of Appeal - West Palm Beach

Geliga v. State - sentencing

Hurchalla v. Homeowners Choice - summary judgment; affirmative defenses

Rodriguez v. State - competency hearing

Cabrera v. US Bank - class certification, counterclaim, denial, findings

Mahinbakht v. Mahinbakht - forum non conveniens

Hallandale Beach v. Sharkey - order, oral comments, contradiction

Kovacs v. State - postconviction relief

Fifth District Court of Appeal - Daytona Beach

Maisonet v. State - certified question, postconviction relief

Romaine v. Romaine - dissolution, settlement agreement, counteroffer

Ortiz v. State - postconviction relief

Henderson v. State - *Spencer* warning

McDuffie v. State - *Spencer* warning

[*Everett v. State*](#) - postconviction relief

[*Quick v. State*](#) - prohibition, bias

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