

Florida Appeals Court Decisions: Week of October 28 - November 1, 2019

November 01, 2019

U.S. Eleventh Circuit Court of Appeals

US v. Ochoa - Hobbs Act, *Miranda*, firearm possession, sentencing

US v. Reed - firearm possession

Wilding v. DNC Services Corp - standing

US v. Ross - search & seizure

US v. Harris - sentencing, ACCA

Yarbrough v. Decatur Housing Auth - Housing Act, §1983

Sellers v. Rushmore Loan Mgmt - class cert, FDCPA, FCCPA

US v. Hunt - sentencing, ACCA

Cromartie v. Shealy - §1983, stay of execution

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Ball v. State - RICO, pattern of racketeering activity

Dozier v. State - sexual battery

Hamilton v. State - plea withdrawal,

Ziegler v. State - postconviction relief, illegible motion

Barley v. Ward - limitations defense, pleading stage

Jones v. State - postconviction relief

Henderson v. State - sentencing, trial court jurisdiction

Johnson v. Johnson - equitable distribution, retirement plan
Webster v. Inch - declaratory judgment, prisoner
Wilcox v. Neville - settlement proposal, rule 1.442
Mid Fla Comm Servs v. DCF - child care license
Hernandez v. Food Market - workers' compensation, false SSN
Smith v. State - all writs review, habeas corpus
Waller v. State - scrivener's error
Love v. State - postconviction relief
Johnson v. State - sentencing, appellate standing
Lewis Foster Homes v. APD - administrative order, evidence, waiver

Second District Court of Appeal - Lakeland

Salinas v. US Bank - foreclosure, attorney's fees
State v. Jones - second-tier certiorari, accident-report privilege; certified conflict
State v. Rapson - withholding adjudication
Shewmaker v. Shewmaker - rule 12.540, default
Romaine v. State - postconviction relief
Reese v. State - delivery of cannabis, fundamental error
Hedden v. Z Oldco - arbitration
Rogers v. State - certiorari, competency

Third District Court of Appeal - Miami

Diamond State Ins v. DCF - insurance, duty to defend
Tisdale v. State - postconviction relief
Navarro v. Veloz - attorney's fees, pleading requirement, exception
Prudhomme v. State - rule 3.170(l)
Farach v. Rivero - certiorari, arrest record
Port Royal v. Woodson Elec - venue, transfer within Florida, *Kinney*

Fourth District Court of Appeal - West Palm Beach

Oakley v. State -- sentencing
Deutsch v. Geico - insurance coverage, mobile gym
State v. Pickersgill - acquittal, "after a jury verdict," appellate jurisdiction
Joshua v. State - postconviction relief

[Cornerstone Solutions v. Materio](#) - defamation; Florida Anti-SLAPP statute; certiorari

Fifth District Court of Appeal - Daytona Beach

[Mackenzie v. Centex Homes](#) - attorney's fees, prevailing party, contingency multiplier

[Baird v. Neutze](#) - attorney's fees, written findings

[Osborn v. State](#) - postconviction relief

[Legros v. State](#) - concurrence, public defender, fee application

[Watts v. State](#) - postconviction relief

[Nelson v. State](#) - sentencing, transcript

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