

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

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.