

Florida Appeals Court Decisions: Week of September 16 - 20, 2019

September 20, 2019

U.S. Eleventh Circuit Court of Appeals

US v. Florida - ADA, Rehab Act

US v. Kirby - sentencing

Boatman v. Berreto - prison mailbox rule

Managed Care Advisory Grp v. Cigna - arbitration, settlement

Schaw v. Habitat for Humanity - FHAA

Florida Supreme Court - Tallahassee

In re R Reg Fla Bar - amended rules

First District Court of Appeal - Tallahassee

Baumgartner v. State - sentencing

Alachua Cnty v. Darnell - sheriff, budgeted funds, county commission

Brownworth v. State - probation revocation

Thompson v. Admiral Mfg - appellate jurisdiction

Liberty Mut v. Miller - appellate jurisdiction

Cummings v. State - postconviction relief

Crowell v. State - felony murder, instructions

Waste Pro USA v. Waste Pro Fla - class certification, FDUTPA

Bartletto v. State - postconviction relief

ADH v. State - competency

Thomas v. Joseph - parenting plan, modification

Norman v. DOC - mandamus, requirements

Second District Court of Appeal - Lakeland

State v. Welch - search and seizure

Stephens v. State - appellate venue

Meuse v. State - criminal restitution

FL-7 v. SWF Premium - broker, commission

TLO So Farms v. Heartland Farms - FDUTPA, inconsistent verdict, manifest weight

Angeles v. State - plea withdrawal

Mikhail v. Mikhail - child support

Dana v. Eilers - prescriptive easement

Third District Court of Appeal - Miami

Hullick v. Gibraltar Private B&T - defamation per se

Miami Firefighters Rt'mt v. Castro - sovereign immunity, contract

Baker v. Courts at Bayshore - rule 1.540, scrivener's error

AL v. State - speedy trial, juvenile

A&S Ent v. DOR - state audit, tax assessment, due process

Quigley v. Culbertson - marital dissolution, fees

Becker v. Becker - prohibition, judicial disqualification, prior representation

LC v. DCF - certiorari, psychological evaluation

FHSAA v. Johnson - venue; school sports eligibility, injunction

Fourth District Court of Appeal - West Palm Beach

Beard v. State - relevance, photo of handgun

Everglades Law Ctr v. SFWMD - shade meetings, mediation, confidentiality

Philip Morris USA v. Gentile - fraud, repose period, disclaimed statements

Schroeder v. MTGLQ Investors - foreclosure, doc stamps

Casiano v. State - sentencing, mootness

Fast Funds v. Aventura Orthopedic - relief from judgment, excusable neglect

Jones v. State - resentencing, jurisdiction

Fernandez v. Difiore - default, motion to vacate, due diligence

QL v. DCF - parental rights, termination, evidentiary support

Davis v. State - resentencing, jurisdiction

Condor West Invest v. Cannabis Growth Indus - supplemental pleadings

People's Trust MGA v. Pesta - certiorari; administrative remedies, failure to exhaust

Algaba v. State - pro se sanctions

Kasowitz v. Mariano - certiorari; legal malpractice, accrual, abatement

State v. Sills - certiorari; expert, prescription of controlled substances

Fifth District Court of Appeal - Daytona Beach

Williams v. River Bend - boundary dispute, water diversion

Jones v. State - suppression, warrantless search; preservation

Turner v. State - closing argument, criminal

Wehr v. State - postconviction relief, concession of error

Turnbull v. State - postconviction relief

Hoyt v. State - *Spencer* bar, pro se

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