

# Florida Appeals Court Decisions: Week of September 30 - October 4, 2019

October 04, 2019

## U.S. Eleventh Circuit Court of Appeals

*US v. Rothstein* - sentencing

*Boston v. US* - sentencing, ACCA

*US v. Sheffield* - restitution

*US v. Sanchez* - sentencing, ACCA

*Bourdon v. DHS* - immigration, APA

*Muransky v. Godiva Chocolatier* - en banc

## Florida Supreme Court - Tallahassee

*Dailey v. State* - capital case, postconviction relief

*In re Fla R Jud Admin* - amended rules, confidentiality

## First District Court of Appeal - Tallahassee

*Peterson v. State* - competency, fundamental error

*Walker v. State* - competency, fundamental error

*Lynn v. State* - postconviction relief

*FWCJUA v. Am Residuals* - workers' compensation

*Knowlton v. Knowlton* - marital settlement agreement, modification; preservation

*Manhard v. State* - leaving scene; preservation of error, *Williams* rule evidence

*Mitchell v. Applebees* - amended pleading, relation back

*Reno v. Reno* - certiorari, psychological evaluation

*Geoppo v. State* - postconviction relief

## Second District Court of Appeal - Lakeland

*Brown v. State* - community control revocation

*State v. Pharisien* - prohibition, new trial

*CCJ v. State* - certified legal intern, consent

*Rodriguez v. Avatar P&C* - summary judgment, pending discovery

*McCray v. State* - sentencing

*Lewis v. Innova* - foreclosure, mootness, bankruptcy

*Morell v. State* - sentencing

*Leka v. State* - certiorari, medical records

## Third District Court of Appeal - Miami

*Sousa v. Zuni Transp* - standing to sue; anti-assignment clause; tipsy coachman

*Pizzi v. Miami Lakes* - defense costs, city's legal representation policy

*Robinson v. State* - speedy trial

*Guarantee Co v. Seawatch* - suretyship

*In re Caswell* - probate, claim, timeliness

*Lubin v. State* - *Williams* rule evidence

*Roif v. JP Morgan Chase* - foreclosure, indorsement validity

*Iglesias v. Iglesias* - default judgment

*Villalobos v. Martinez* - expert relationship with firm

*Moore v. State* - postconviction relief

*Foreman v. James* - certiorari, workshop participation

## Fourth District Court of Appeal - West Palm Beach

*Strachan v. State* - testimony playback; voir dire, limits

*Mastec v. Morakis* - directed verdict; comparative negligence, alcohol use

*Fox v. State* - sentencing

*Mann v. State* - similar crimes evidence

*Parker Waichman v. RJ Reynolds* - attorney's fees; contingency

*Meldrum v. Bergamo-Meldrum* - marital dissolution

*Stoyka v. Grecz* - slip and fall; post-incident medical records

# Fifth District Court of Appeal - Daytona Beach

*Vitiello v. State* - boating, under influence; expert

*Hummel v. Taft* - auto negligence, new trial

*Ihlefield v. State* - scrivener's error

*Moradi v. State* - habeas; ineffective assistance, appellate

*Taylor v. State* - *Spencer* warning, pro se

*Mt Plymouth v. Lake County* - second-tier certiorari, rezoning

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

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

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