

# Florida Appeals Court Decisions: Week of April 13 - 17, 2020

April 18, 2020

## U.S. Eleventh Circuit Court of Appeals

*US v. Gomez* - sentencing

*In re Wild* - CVRA

*Barnett v. MacArthur* - § 1983, immunity

*Carroll v. Carnival Cruise* - maritime tort, premises liability

*Webster v. Dean Guitars* - copyright, unfair competition, false endorsement

## Florida Supreme Court - Tallahassee

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

## First District Court of Appeal - Tallahassee

*AHCA v. Rodriguez* - Medicaid reimbursement

*MedPure v. DOH* - marijuana licenses, constitutional challenges

*Robinson v. Farah & Farah* - pro se sanctions

*LT v. State* - certiorari, Marsy's Law

*Newcombe v. State* - postconviction relief

*Pensacola Bch v. AFLIC* - foreclosure, intervention, redemption

*Pannell v. Escambia Sch Dist* - workers' compensation

*Hetherington v. State* - *Williams* evidence

*Beall v. State* - *Nelson* hearing

*Niles v. State* - pro se sanctions

*Chimale v. State* - jail credit

*Oliver v. State* - firearm possession

## Second District Court of Appeal - Lakeland

*Valera-Rodriguez v. State* - sentencing  
*Singer v. Eichler* - marital dissolution, reopening judgment, new evidence  
*Skene v. Avatar P&C* - premature suit  
*State v. Desange* - reckless driving  
*Nishman v. Stein* - paternity, fees  
*Fagen v. Fagen* - certiorari, financial information, § 61.16  
*State v. Robinson* - sentencing  
*Roesch v. Crosby* - foreclosure, notice, ¶ 22  
*McVety v. McVety* - stipulated costs  
*State v. James* - sexual offender  
*Lauterbach v. Lauterbach* - marital dissolution, residency requirement  
*TC v. State* - probation  
*Yzaguirre v. State* - *Nelson* hearing  
*Hepco Data v. Hepco Med* - certiorari, discovery  
*Jefferson v. State* - postconviction relief

## Third District Court of Appeal - Miami

*Yehezkel v. Aral* - injunction, repeat violence  
*People's Trust v. Franco* - insurance, election to repair  
*Graham Cos v. Amado* - landlord duties  
*DG v. State* - probation revocation  
*Jawaid v. DCF* - disability benefits  
*State Farm v. Sanders* - certiorari, disinterested appraiser, certified question  
*Leos v. Hernandez* - child relocation  
*LC v. DCF* - shelter petition, substance abuse evaluation  
*Hernandez v. Jackson Mem* - appellate jurisdiction  
*Owusu v. Miami* - certiorari, discovery denial

## Fourth District Court of Appeal - West Palm Beach

*Ayers v. State* - competency; written order  
*Sherrod v. State* - probation revocation  
*Brown v. State* - hearsay; opening the door  
*Perrault v. Engle* - child hearsay, corroboration  
*Jennings v. State* - voir dire, comment on evidence; witness bolstering  
*PBC School Brd v. Bakst* - charter school termination; attorney's fees  
*Carter v. Carter* - marital dissolution; child support  
*Almodovar v. State* - speedy trial

*Puy v. State* - Snapchat; threat, vagueness  
*Eugene v. State* - double jeopardy; single homicide rule  
*State v. Cheeks* - speedy trial  
*Campos v. Arana Auto Ins* - taxation of costs  
*Singer v. Singer* - sua sponte, transfer to another county  
*Pratt v. FLDOR* - due process; notice of hearing

# Fifth District Court of Appeal - Daytona Beach

*Befanis v. Befanis* – dissolution, modify, alimony  
*JC v. State* – involuntary substance abuse treatment  
*Haar v. State* – sexual battery, indigent defense cost  
*DOR v. Ashby* – dismissal, prejudice  
*Spear v. State* – certified question, conflict; ministerial error, post-judgment  
*Rojas v. State* – *Anders* appeal, costs  
*Silsby v. State* – *Anders* appeal, costs  
*Stratton v. State* – probation violation, evidence  
*Hernandez v. State* – community control, written order  
*Wheeler v. State* – *Anders* appeal, costs  
*Mansell v. State* – criminal, costs  
*Chivese v. State* – *Anders* appeal, costs  
*Henry v. State* – criminal, costs  
*Murphy v. State* – postconviction relief

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