

Florida Appeals Court Decisions: Week of August 24 - 28, 2020

August 29, 2020

U.S. Eleventh Circuit Court of Appeals

Hill v. Mueller Group - employment, ERISA

Foster Logging v. USA - FTCA, sovereign immunity, discretionary function

USA v. Jimenez - criminal, sufficiency

Cisneros v. Petland - RICO, failure to state a claim

Whaley v. Guillen - bankruptcy, Chapter 13 plan modification

Thomas v. Albany Healthcare - appellate jurisdiction to review remand

WM Mobile Bay v. Mobile Solid Waste - property, certifying Qs to AL Sup Ct

USA v. Gonzalez - criminal, constitutionality of MDLEA

USA v. Pineda - criminal, constitutionality of MDLEA

USA v. Mastin - search and seizure, right to confront accusers

USA v. Davila-Mendoza - criminal, constitutionality of MDLEA

Rendon v. US Atty Gen - vacating *this* decision, removal

Laskar v. Hurd - malicious prosecution, favorable termination

Florida Supreme Court - Tallahassee

Davis v. State - capital case, postconviction relief

Brown v. Inch - capital case, postconviction relief

James v. Fox - pro se sanctions

Thompson v. DeSantis - quo warranto, mandamus, judicial appointment, qualifications

First District Court of Appeal - Tallahassee

Colley v. State - probation violation

Bland v. State - habeas corpus

Brady v. State - mootness

Prunty v. State - postconviction relief

Crystal v. State - postconviction relief

Jones v. State - sentencing

Steiger v. State - ineffective assistance; evidence, autopsy photos

Owens v. State - probation revocation

DCF v. AS - parental rights, termination

Second District Court of Appeal - Lakeland

Gonzalez v. Reyes - marital dissolution, attorney's fees

Webb v. Webb - settlement agreement, judgment, limitations period

Warianek v. State - sentencing

DeJesus v. State - postconviction relief

Petre v. Wilmington Sav - certiorari, default

Third District Court of Appeal - Miami

Gonzalez v. State - evidence, possession, sentencing

Shivdasani v. Univ Prop & Cas - insurance, proof of loss, compliance

Bello v. Geovera Spec Ins - continuance, summary judgment

Smith v. State - sentencing

Goeseke v. Arch Spec Ins - appellate jurisdiction

Valliappan v. DOR - administrative review, evidence

Pawley v. Marie - injunction, modification, fraud on court

3499 Saraev Prop v. US Bank - foreclosure, breach

Frank v. Frank - marital dissolution, FEFJA, Full Faith & Credit

Cherisme v. State - mistrial, prejudicial comment

Fourth District Court of Appeal - West Palm Beach

Root v. Feinstein - sanctions, findings

P&G Trucking of Brandon v. Riverland Hedging & Topping - business interruption damages

Reyna v. State - collateral crime evidence

Gilison v. Flagler Bank - aiding and abetting, civil conspiracy

Varchetti v. Varchetti - forum non conveniens, UCCJEA

Fifth District Court of Appeal - Daytona Beach

Santiago v. State - postconviction relief, juvenile sentence

Garcia v. State - certified conflict, certified questions; certiorari, self-incrimination, passcode

Rossmann v. Wallick - summary judgment, workers' comp immunity, gross negligence

Singleton v. State - murder; probation violation, affidavit

McVicker v. McVicker - dissolution, imputed income

Dennis v. State - *Anders* appeal, costs

Mangini v. State - probation revocation, hearsay

State v. Teague - new trial, concession of error

Frett v. Frett - dissolution, marital assets

Niemi v. State - ineffective assistance, appellate

JFT v. State - juvenile, expungement

Julian v. State - postconviction relief

Hager v. State - certified conflict, certified questions; certiorari, self-incrimination, passcode

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