

# Florida Appeals Court Decisions: Week of December 21 - 23, 2020

December 23, 2020

#### U.S. Eleventh Circuit Court of Appeals

Smith v. US Atty Gen - immigration, removal
USA v. Smith - ineffective assistance, ACCA, sentencing
US Federal Credit Union v. Gateway - bankruptcy, preliminary injunction
SCAD v. Sportswear - trademark, permanent injunction
Hubbard v. Bayer - product liability, failure to warn
Quintero v. Geico - insurance, maritime, uberrimae fidei

### Florida Supreme Court - Tallahassee

No decisions this week.

Marsh v. State - attorney sanctions

#### First District Court of Appeal - Tallahassee

Securus Tech v. DOC - state agency, contract procurement

Aybar v. DOH - nursing license revocation

Swearingen v. Pretzer - temporary injunction, preservation, firearms records

State v. Barnhart - sentencing

DeSantis v. Fla Ed Ass'n - certiorari, state program challenges

#### Second District Court of Appeal - Lakeland

Cataldo v. Cataldo - appellate jurisdiction, fees without amount

Gardner v. State - sentencing

Herrell v. Univ Prop & Cas - settlement proposal, voluntary dismissal

Street v. Street - prejudgment interest on fees

Stone v. Suzuki - return of child, Hague Convention, UCCJEA

#### Third District Court of Appeal - Miami

Green v. State - sentencing, jury findings

Gursky Ragan v. Ass'n of Poinciana Villages - defamation, litigation privilege

Saunders v. Fla Peninsula Ins - coverage, faulty workmanship exclusion

Somerset Acad v. Miami-Dade Commr's - certiorari, zoning, charter school

Corrales v. Corrales - equitable distribution, alimony

Benavides v. Medina - summary judgment standard, wrongful death

Giller v. Grossman - probate, removing personal representative

AOH v. State - trespass in conveyance

AM v. DCF - certiorari, child visitation

Miami-Dade v. Miami - certiorari, mayoral veto, review

In re Miami Perfume - certiorari, attorney-client privilege post-assignment

Wurtzel v. State - probation violation

Open MRI v. United Auto - second-tier certiorari, standard

Bank of NY v. Abadia - certiorari, litigation privilege

### Fourth District Court of Appeal - West Palm Beach

No decisions this week.

## Fifth District Court of Appeal - Daytona Beach

No decisions this week.

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