

# 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.

## 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

*Marsh v. State* - attorney sanctions

[\*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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