

Florida Appeals Court Decisions: Week of December 28 - 31, 2020

December 31, 2020

U.S. Eleventh Circuit Court of Appeals

Bourdon v. US DHS - petition for rehearing en banc denied

Senter v. USA - postconviction relief

Garcia-Simisterra v. US Atty Gen - immigration, removal

Florida Supreme Court - Tallahassee

Ham v. Portfolio Recov - attorney's fees, reciprocity, credit card agreements

Page v. Deutsche Bank - foreclosure, attorney's fees without standing

Wilsonart v. Lopez - summary judgment standard

Jackson v. State - pro se sanctions

In re Fla R Civ P - adopting federal summary judgment standard

In re Fla Prob R - amended rules

First District Court of Appeal - Tallahassee

Richardson v. State - sentencing, fundamental error

Calhoun v. State - search and seizure

Signal Hill Golf v. Womack - rule 1.442, settlement proposal

Lincoln Mem Acad v. Manatee Sch Bd - charter school, status revocation

Valle v. Am Airlines - workers' compensation

Schmidt v. State - probation revocation

Smith v. State - prohibition, speedy trial, Covid-19

Statler v. State - sexual battery, constitutional challenge, consent, knowledge

Gallion v. State - grand theft, proof of value

Rushin v. State - sentencing

HMC Assets v. Graybill - default judgment, vacatur

Second District Court of Appeal - Lakeland

Kelley v. State - probation revocation

Henry v. State - community control revocation

Riverside Heights v. Tampa - rehearing, community redevelopment, notice

Riviera-Ft Myers v. Florentine Dev - condo declaration, amendment, enforceability, injunction

Haynes v. State - sentencing, certified conflict

Baker v. Westfield Ins - construction, prevailing party, fees

State v. Dixon - criminal restitution

State v. Michaud - certiorari, sentencing

Third District Court of Appeal - Miami

No decisions this week.

Fourth District Court of Appeal - West Palm Beach

No decisions this week.

Fifth District Court of Appeal - Daytona Beach

Principal Life Ins v. Halstead - life insurance, plain language

Smithey v. State - postconviction relief

Orange County v. Whitehead - negligence, jury instruction

Elias v. State - child pornography

Jones v. State - murder; improper opening, closing

Barron v. State - probation revocation, notice

Taylor v. State - postconviction relief

Phuong v. Sheriff Mina - appellate jurisdiction, statutory immunity, dismissal

Pantry v. Mijax Manager - restrictive covenant, competing retail business

Borders v. State - postconviction relief

Robinson v. State - criminal, costs

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

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