

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

January 18, 2020

## U.S. Eleventh Circuit Court of Appeals

*Hand v. DeSantis* - mootness

*US v. Mancilla-Ibarra* - search & seizure, sentencing

## Florida Supreme Court - Tallahassee

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

*Adv Op re Citizenship* - initiative petition, validity

*Adv Op re Amend 4* - advisory opinion, felons, voting rights

*In re Std Jury Instr (Crim)* - amended instructions

*In re Std Jury Instr (Crim)* - amended instructions

*In re Std Jury Instr (Crim)* - amended instructions

*In re Fla Prob R* - amended rules

*Richards v. State* - investigative costs on remand

## First District Court of Appeal - Tallahassee

*AQ v. AHCA* - medical necessity, services

*Benson v. State* - probation revocation

*2K S Bch Hotel v. Continental* - workers' compensation

*Hart v. Griffis* - domestic violence injunction

*Jones v. State* - scrivener's error

## Second District Court of Appeal - Lakeland

*Brown v. FNMA* - foreclosure, costs

*SLW v. State* - burglary, grand theft

*Ciccarello v. Siena Villas* - arbitration, review, jurisdiction

*AM v. State* - habeas corpus

*McElroy v. Oaks on the Bay* - summary judgment, no hearing

*Howard v. State* - self-incrimination, pre-*Miranda* silence

*Deutsche Bank v. Bennett* - sanctions, findings, unaccepted concession; certified conflict

*Hamiter v. State* - probation revocation; sentencing; certified question

*Webber v. Bactes Imaging* - FDUTPA, medical records

*Rodriguez v. Avatar* - insurance, summary judgment, affidavits, personal knowledge, competency

*Read v. Deutsche Bank* - foreclosure, vacatur, notice

*Shazam Auto Glass v. State Farm* - fees, conditional award, settlement proposal

## Third District Court of Appeal - Miami

*Cardona v. State* - cause of death testimony, medical examiner

*Wright v. State* - search and seizure, confession

*De Soleil v. De Soleil* - condo declaration, standing to enforce

*World Fin Gp v. Progressive* - insurance, protecting lienholder, settlement

*Marotto v. Ferco Motors* - appellate fees, prevailing requirement

*Stallworth v. State* - pro se sanctions

*Samra v. Bedoyan* - judicial disqualification, mootness

*MC v. State* - delinquency, disposition hearing, attendance

*Saladriga v. State* - violent felony offender, special concern

## Fourth District Court of Appeal - West Palm Beach

*Larocca v. State* - *Frye/Daubert*, retroactivity

*Cassaday v. State* - voir dire, time allotted

*Salus v. Island Hosp Fla Mgmt* - retaliatory discharge

*Schultz v. State* - withdrawal, downward departure

*Driver v. State* - double jeopardy

*Bryan v. Galley Maid Marine Prod* - foreseeability, duty

*Dinerstein v. Bucher* - ballot initiative, title

## Fifth District Court of Appeal - Daytona Beach

*Vega v. State* - postconviction relief

*Barnes v. Sanabria* - certified question; certiorari, discovery

*Moran v. State* - habeas; ineffective assistance, appellate

*Thomas v. State* - sentence

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