

# Florida Appeals Court Decisions: Week of January 20 - 24, 2020

January 25, 2020

## U.S. Eleventh Circuit Court of Appeals

*Estate of Bass v. Regions Bank* - pleading sufficiency

*Sabal Trail Trans v. 3.921 Acres of Land* - lay opinion, attorney's fees

*In re: Shek* - bankruptcy

## Florida Supreme Court - Tallahassee

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

*State v. Poole* - capital case, postconviction, *Hurst*

*Fla Hwy Patrol v. Jackson* - rule 9.130, sovereign immunity

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

*In re Fla R App P* - rule 9.130 amendment

*In re R Reg Fla Bar* - amended rules, bar exam

*Gaymon v. State* - sentencing, dangerousness

## First District Court of Appeal - Tallahassee

*Weaver v. State* - fundamental error, lessor included

*Neighbors v. Neighbors* - marital dissolution, medical expenses

*Rohn v. State* - sentencing, costs

*Horn v. State* - return of property

*Hicks v. State* - competency

*State v. Griner* - sentencing, *Graham*

*McNair v. Dorsey* - workers' comp immunity, estoppel

*Posey v. State* - aggravated child abuse, evidence

*TLC Props v. State* - inverse condemnation, visibility, access

*Hill v. State* - probation revocation

[\*Claflin v. Claflin\*](#) - dissolution, comity, Philippine judgment

[\*Light v. Kirkland\*](#) - timesharing

[\*Schmidt v. Nipper\*](#) - rule 12.540, voidness, due process, paternity

[\*Thompson v. Melange\*](#) - certiorari, appellate jurisdiction, timesharing

## Second District Court of Appeal - Lakeland

[\*Migliazzo v. Wells Fargo\*](#) - quiet title, rule 1.40 dismissal motion

[\*Robinson v. State\*](#) - driving, revoked license, notice, en banc; certified conflict

[\*Lesende v. State\*](#) -

[\*Ploeckelmann v. State\*](#) - sentencing, trial court jurisdiction

[\*Hardeman Landscape v. Watkins\*](#) - contract, fees, prevailing party

[\*Robison v. Citibank\*](#) - appellate jurisdiction, foreclosure stay

[\*Hett v. Barron-Lunde\*](#) - certiorari, financial information

## Third District Court of Appeal - Miami

[\*Desvarieux v. Bridgestone\*](#) - negligence, stacking inferences; vicarious liability, pleading

[\*Vinas v. State\*](#) - severance, criminal charges

[\*Caprio v. Castro\*](#) - punitive damages, procedure

[\*Bank of NY v. Hernandez\*](#) - foreclosure, sua sponte dismissal, due on sale clause

## Fourth District Court of Appeal - West Palm Beach

[\*Harris v. State\*](#) - murder, premeditation; preservation

[\*Spaze v. Boca View\*](#) - condo declarations

[\*Jackson v. State\*](#) - concealed weapon, unlicensed element

[\*Morris v. State\*](#) - sentencing

[\*Hillcrest v. Zyscovich\*](#) - contract interpretation, ambiguity

[\*State v. Timianski\*](#) - judgment of acquittal, standard

[\*Brown v. State\*](#) - sentencing

[\*Broward v. Font\*](#) - property appraisal; settlement agreement

[\*Soldatich v. Jones\*](#) - discrepancy, written order, oral pronouncement

[\*Lunsford v. Engle\*](#) - child custody, communication between courts

[\*Prime Investors v. Meridien\*](#) - construction lien; summary judgment

*Williams v. State* - sentencing

# Fifth District Court of Appeal - Daytona Beach

*Bigelow v. Ritsema* - paternity; jurisdiction, trial, rehearing

*Ferrer v. Ferrer* - *Spencer* bar, pro se

*Quinones v. Mascola* - domestic violence injunction, evidence

*Ruiz v. State* - *Spencer* bar, pro se

*Rogers v. State* - *Anders* appeal; plea, sentence

*Cetto v. State* - probation violation, concession of error

*Barkley v. State* - probation violation, concession of error

*GEICO v. Mauricio Chiropractic* - certiorari, lack of written opinion

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

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