

Florida Appeals Court Decisions: Week of January 27 - 31, 2020

January 31, 2020

U.S. Eleventh Circuit Court of Appeals

US v. Bane – procedural default

White v. Lemma – three-strikes provision, frivolous claims

Glasser v. Hilton Grand – TCPA

US v. Cabezas-Montano – MDLEA, *Miranda*, *Brady*, sentencing

In re Dailey – AEDPA, habeas corpus

Johnson v. Miami-Dade Cnty - §1983, Title VII, FCRA

Florida Supreme Court - Tallahassee

In re Fla R App P - amended rules

First District Court of Appeal - Tallahassee

Knighton v. State - new trial standard

La Galere Markets v. DBPR - alcohol, automated beverage machines

Martin-Godinez v. State - postconviction relief

Pickle v. Hale - contingency fees

King v. State - postconviction relief

Mobley v. Taylor - appellate jurisdiction

Stevens v. State - sentencing

Jackson v. State - evidence

State v. Fla Snr Liv Ass'n - rule challenge, ALFs, fees

Haupt v. Haupt - child support, income

Cook v. Cook Bros - judicial disqualification

Rogers v. State - certiorari, Stand Your Ground

Cave v. State - postconviction relief

Second District Court of Appeal - Lakeland

Riley v. State - direct criminal contempt

Jones v. US Bank - foreclosure, standing, mortgage, fees

Taneja v. Saraiya - derivative action, SLC, discovery

HSBC v. Sherman - foreclosure, paragraph 22

Bayfront v. DOH - trauma center application

Lobb v. State - resisting arrest, Marchman Act

Lane-Hepburn v. Hepburn - marital dissolution, default

Routenberg v. State - ineffective appellate counsel

NC v. DCF - certiorari, forced immunizations

Third District Court of Appeal - Miami

Four Ambassadors v. Vice City - contract claims

CS v. State - grand theft, value

Rawls v. State - postconviction relief

Yam Export v. Nicaragua Tobacco - arbitration

Aguilo v. Am Sales - rule 1.420, costs

Bahad v. Christiana Trust - foreclosure, sale, mootness

Citizens v. Schwiep - county ordinance, board membership

Berki v. State - appellate jurisdiction

Alvarez-Mejia v. Bellissimo Props - appellate jurisdiction

Esslinger-Wooten Maxwell v. Lones Fam - broker, procuring cause

Cellfus Ent v. Perez - service of process

Fourth District Court of Appeal - West Palm Beach

Fla Ins Guaranty Assoc v. Rubin—attorney's fees, insurance

Alexander v. State—jury instruction, obscenity

Nelson v. State—competency hearing

Bynes v. State—pro se sanction

Clark v. Meizlik—parenting plan

Fifth District Court of Appeal - Daytona Beach

Orange Cty v. Ferguson – negligence, directed verdict, new trial

Willis v. State – postconviction relief, special concurrence

Frantz v. EM Paving – garnishment, deficiency judgment

State v. Miller – postconviction relief

Downs v. State – postconviction relief

Velez v. State – *Spencer* bar, pro se

Gore v. State – *Spencer* warning, pro se

Fox v. Hamptons Condo Assn – *Spencer* warning, pro se

Chester v. State – *Anders* appeal, investigative costs

Rittirucksa v. Rogers – summary judgment, confession of error

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