

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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