

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

July 18, 2020

U.S. Eleventh Circuit Court of Appeals

US v. Deason - *Miranda*, obscenity

Carrizosa v. Chiquita - pseudonyms, privacy

Corley v. Long-Lewis - appellate jurisdiction, final decision, standing

MSP Recovery v. QBE - Medicare Secondary Payer Act, standing

US v. Gumbs - forcibly assault officer, instructions, evidence

Rendon v. Att'y Gen - immigration

Tesoriero v. Carnival - premises liability, notice, *res ipsa loquitur*

Bates v. DOC - habeas corpus

US v. Martinez - sentencing

Williams v. Aguirre - qualified immunity, state-agent immunity, malicious prosecution

Dallas v. Warden - ineffective assistance

US v. Stein - sentencing

US v. Chalker - healthcare fraud, indictment, evidence; continuance

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Okefenoke EMC v. Dayspring Health - prescriptive easement

Cotton v. State - postconviction relief

Medina v. Miami Dade - workers' compensation

Ivory v. State - certiorari, prison discipline

Huckaby v. State - ineffective assistance, appellate counsel

Baron v. Baron - alimony

Moore v. State - fundamental error, lesser included instruction

Johnson v. State - *Nelson* inquiry; sentencing

Bradford v. State - ineffective assistance, appellate counsel

Cuevas-Rodriguez v. Plata - appellate jurisdiction

Goss v. State - severance, Confrontation Clause

Rembert v. State - sentencing

Newman v. State - collateral crime evidence

Makere v. Allstate - employment, administrative review

Williams v. Hicks - postconviction relief

Hampton v. State - postconviction relief

Moran v. State - belated appeal

Norton v. DOR - appellate jurisdiction

Second District Court of Appeal - Lakeland

Grant v. State - burglary instruction

Mack v. State - juvenile sentencing

Emke v. State - sentencing

Blair v. State - probation revocation; jail credit

Witters Contracting v. West - slander of title, fraudulent lien

Haynes v. Blackshear - medical malpractice, verdict, separate claims

Rost Inv v. Cameron - unjust enrichment

Jeanne Tate Esq v. COW - adoption, parental rights

USAA v. Bay Area Injury - certiorari, insurance, discovery

Global Disc v. Butterfield - tax deed sale, proceeds, priority

Third District Court of Appeal - Miami

Bailey v. Shelborne Ocean Bch - condominium, special assessments

Lopez v. State - Stand Your Ground

Ferguson v. State - postconviction relief

Levy v. Levy - marital dissolution, attorney's fees

Guillen v. State - postconviction relief

RJ Reynolds v. Rouse - *Engle* progeny, detrimental reliance

Ruchimora v. Grullon - personal injury, referral relationship evidence

Miami Bch v. 3098 Alton Rd - mandamus, city utilities

Valsaint v. Alphonse - paternity, child support

BB v. State - resisting officer

Foreman v. James - certiorari, indirect civil contempt, fees

[*Mezei v. Tzynder*](#) - timesharing

Fourth District Court of Appeal - West Palm Beach

[*Johnson v. State*](#) - peremptory strike, preservation

[*Bank of New York v. Calloway*](#) - foreclosure, standing

[*Williams v. State*](#) - demonstrative evidence, photogrammetry

[*Bailor v. Bailor*](#) - dissolution, timesharing

[*Bender v. Shatz*](#) - writ dissolution, burden of proof

[*State v. Bishop*](#) - postconviction relief

[*BA Mortgage v. Baigorria*](#) - wild mortgage

[*Broward County Sherriff's Office v. Hamby*](#) - certiorari, reinstatement

[*Chevalier v. Emmerson*](#) - contempt, timesharing

Fifth District Court of Appeal - Daytona Beach

[*Rettley v. State*](#) - robbery, sufficiency of evidence

[*Pricher v. Pricher*](#) - dissolution, alimony, beneficiary

[*Weiker v. State*](#) - postconviction relief

[*Brockhaus v. State*](#) - probation revocation, due process

[*Gordon v. State*](#) - rehearing; *Anders*, costs

[*Hilbert v. State*](#) - criminal, investigative costs

[*Freeman v. State*](#) - involuntary commitment, evidence

[*Green v. State*](#) - *Spencer* warning, pro se

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