

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

August 01, 2020

U.S. Eleventh Circuit Court of Appeals

USA v. Melgen - fraud, materiality instruction; evidence, summaries

AEGIS Elec v. ECI Mgmt - insurance, covered loss, attorney's fees

Clemons v. Ala DOC - postconviction relief

Patel v. Hamilton Med Cntr - declaratory judgment, immunity, subject matter jurisdiction

USA v. Smith - evidence, witness identification, video; Hobbs Act, evidence, instructions

Gogel v. KIA Motors - employment, Title VII, retaliation, en banc

Lavigne v. Addy - Herbalife class action, arbitration, venue

Goode v. Soc Sec Comm'r - Social Security benefits

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

Charley v. State - search and seizure

Carrell v. State - habeas corpus

Lang v. DOH - physician license, administrative review

Wilson v. State - sentencing

Lohstreter v. DOH - physician license, administrative review

Second District Court of Appeal - Lakeland

Whitham v. State - Stand Your Ground

Bolliger v. Fries - marital dissolution, fees

Baker v. State - postconviction relief

Marenco v. Marenco - child support

Ballard v. Bank of Am - foreclosure, sanctions, *Kozel*

Welch v. State - probation revocation

Patterson v. State - postconviction relief

Third District Court of Appeal - Miami

JJ v. State - search and seizure, constructive possession, en banc

Neighb'hood Planning v. DOT - eminent domain, damages

Ward v. State - violation of pretrial ruling, evidence

Luckman v. Wills - wrongful death, duty of care, expert opinion

Brown v. State - probation violation; appellate jurisdiction

Wilson v. State - postconviction relief, procedural confusion, fashioned relief

Gore v. Smith - child support, expert costs

Ferguson v. State - postconviction relief

Palace Resorts v. Flynn - forum non conveniens

Lavance v. State - appellate jurisdiction

Fourth District Court of Appeal - West Palm Beach

RJ Reynolds v. State - contractual liability

Evans v. State - due process; VFOSC

Roberts v. Third Palm - real estate agent, compensation

Pittman v. State - competency

Patchen v. Quadomain Condo Assn - injunction; bond

Harkness v. Harness - durational alimony

Kelly v. Green Tree Servicing - lien priority

B&L Service v. Broward County - attorney's fees; public records

Ponomarenko v. Esenova - dissolution, disqualification

Gonzalez v. Funes - protection injunction

Randolph v. State - probation violation, written findings

Ark Real Estate v. 21st Mort Corp - foreclosure, surviving lien

Fifth District Court of Appeal - Daytona Beach

Gomez-Arroyo v. State - *Anders*, scrivener's error

Volusia County v. Bank of NY - foreclosure, equitable subrogee

Bradley v. State - competency, independent determination

Johns v. State - postconviction relief

Annicchiarico v. State - postconviction relief

Font v. State - probation violation, written order

Quinby v. State - *Anders*, costs

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