

Florida Appeals Court Decisions: Week of June 29 - July 3, 2020

July 03, 2020

U.S. Eleventh Circuit Court of Appeals

Candies v. Citigroup - forum non conveniens

Taylor v. Polhill - Medical Device Amendments, preemption, due process

US v. Cuya - postconviction relief, preliminary discovery

US v. Harris - sentencing

Deroy v. Carnival - forum selection clause

Noble v. Soc Sec - disability benefits

US v. Clotaire - evidence, video images, cross-exam, emails

Jenkins v. Ala DOC - postconviction relief

US v. Pon - *Daubert*; rebuttal evidence

Florida Supreme Court - Tallahassee

Pooler v. State - capital case, postconviction relief

Jackson v. Household Fin - hearsay, business records

In re Fla R Jud Admin - amended rules, juvenile rules

First District Court of Appeal - Tallahassee

Douglas v. Jones - false filings, fee award

MB Doral v. DBPR - alcohol, quota license

Porter v. State - search and seizure

Davis v. State - sentencing

Dyett v. State - reclassification, aggravated battery

Blanding v. State - *Allen* charge

Goodman Dist v. Williams - costs, evidentiary hearing

Allen v. State - sexual battery, lesser included

Pickford v. Taylor Sch Dist - whistle-blower, employment discrimination

Second District Court of Appeal - Lakeland

Brown v. State - LEO battery

Boyle v. Samotin - medical malpractice, notice of intent, certified conflict

Third District Court of Appeal - Miami

Morales v. Ross Dress for Less - slip and fall, constructive notice

Palos v. State - re-cross, preservation of error

Echevarria v. Echevarria - premises liability, obvious danger

Waterproofing & Roofing v. Ashworth - civil theft, quasi-contract

Capital Dev v. Buena Vista Term - supersedeas bond

Jordan v. State - sentencing

Fair Havens v. Estate of Nicula - certiorari, financial documents

Shir Law v. Carnevale - appellate jurisdiction; judicial disqualification

Gerome v. State - ineffective assistance, appellate counsel

Monteagudo v. Cimbler - prohibition, appraisal, voluntary dismissal

Johnson v. State - prohibition

Fourth District Court of Appeal - West Palm Beach

Cosme-Sella v. State - burden of proof, sentencing

Medina v. Pollack - sovereign immunity

State Farm v. Medina - misconduct, new trial

Cruz v. State - strike jury panel

Langel v. State - right to counsel

Sierra v. US Bank - service of process

Woodson v. State - *Miranda*, sentencing

TB v. DCF - parental rights

Performance Air Mech v. Miller Constr - compel arbitration

Neon Inv v. Afina Pallada - post-judgment intervention

Torres v. State - post conviction relief

Mimedx Group v. Perring - privilege, production

Fifth District Court of Appeal - Daytona Beach

Humphreys v. State - aggravated battery, jury instruction

Burdenski v. BB&T - foreclosure, condition precedent

Walker v. State - vehicular homicide, missing transcripts

Burnette v. State - criminal, severance, double jeopardy

Jorgensen v. Tagarelli - dissolution, imputed income, child support, attorney's fees

State v. Midkiff - postconviction relief

Espino v. State - postconviction relief

JGG v. MS - domestic violence injunction, due process

Foley v. State - postconviction relief

Davis v. State - postconviction relief

Jacques v. Walker - certiorari, attorney's fees

Concannon v. Schnotala - certiorari, discovery

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