

Florida Appeals Court Decisions: Week of June 8 - 12, 2020

June 12, 2020

U.S. Eleventh Circuit Court of Appeals

USA v. Yarbrough - search and seizure

Fernandez v. Trees - employment, Title VII, FCRA

Florida Supreme Court - Tallahassee

Lawrence v. State - capital case, postconviction relief

Cave v. State - capital case, postconviction relief

Wheeler v. State - supreme court jurisdiction

First District Court of Appeal - Tallahassee

Bielec v. State - sentencing

Hooks v. State - double jeopardy

Northcutt v. Turner - certiorari, medical records

Garrison v. PHH Mort - foreclosure, default, waiver, preservation

Butler v. State - crash, leaving scene; sentencing

D'Amico v. Clemmons - prison discipline

Gerville-Reache v. Gerville-Reache - child support

Meeks v. Inch - certiorari, prison discipline

Know v. State - search and seizure

TB v. Humana - fair hearing, health services

Sampaio v. State - robbery

Bowling v. State - sentencing

Blalock v. State - probation violation

Daniels v. State - aggravated assault

Jones v. State - circumstantial evidence, DUI manslaughter

DZE v. Vickers - causation, voluntary impairment
Newberry Sq v. Jim's Coin - estoppel, pleading stage
Stillions v. State - child abuse
Woods v. State - evidence, prior convictions
Jacksonville v. O'Neal - workers' compensation

Second District Court of Appeal - Lakeland

FIGA v. Carmen - sinkhole, insurance, certified question
Qosaj v. State - inconsistent verdict
Knott v. Genung - appellate jurisdiction, probate
Rich v. State - certiorari, Stand Your Ground

Third District Court of Appeal - Miami

Rosen v. Harborside Suites - D'Oench, guaranty
Pares v. Soriano - rehearing, telephonic attendance
David v. State - defense of others, instructions, closing argument
Spear v. Denmark - trustee fees, costs
Llanso v. WNF Law - res judicata, § 57.105
Richards v. DOR - administrative support
Edwards v. CIT Bank - non-party standing, appellate jurisdiction
Garcia v. State - appellate jurisdiction, vacatur
N Miami Bch v. Miami Gardens - mootness, amended complaint
Goodenow v. Nationstar Mort - appellate jurisdiction, stay denial
MR v. Evolutions Treat - involuntary commitment

Fourth District Court of Appeal - West Palm Beach

Matrisciani v. Garrison Prop – remittitur; PIP; setoff; proposal for settlement
Brickell Fin Serv v. Road Transp – settlement agreement; ambiguity; mediation communications
Bain v. State – probation violation; competency
Haver v. City of WPB – municipal zoning; code enforcement; individual remedies
Price v. Taylor – domestic violence injunction; ex parte

Fifth District Court of Appeal - Daytona Beach

Kemp v. State - costs, investigation

Williams v. Salt Springs Resort - *en banc*, FCCPA, association assessments

Lefkowitz v. Schwartz - summary judgment, estate, constructive trust

McDade v. Hicks - preservation, appellate jurisdiction

Isom v. State - competency, appellate jurisdiction

McGovern v. Clark - dissolution, § 742.091

Smith v. State - sentence

State v. Ingram - sentence, probation

State v. Paul - drug trafficking, constructive possession

Security First Ins v. Phillips - declaratory relief, policy inception

Rodriguez v. State - manslaughter, sentence

Dungan v. Memorial Health - certiorari, errata sheet

Blevins v. State - *Anders* appeal, costs

Avatar Prop v. Simmons - certiorari, claim file, work product

DaSilva v. In re Guardianship - *Spencer* warning, pro se

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