

# Florida Appeals Court Decisions: Week of March 23 - 27, 2020

March 27, 2020

## U.S. Eleventh Circuit Court of Appeals

*Williamson v. Travelport* - ERISA, class action

*Pitch v. US* - en banc, grand jury proceedings, disclosure

*George v. US Att'y Gen* - immigration, sentencing

*Alston v. Swarbrick* - § 1983, false arrest, qualified immunity

*Waldron v. Spicher* - § 1983, false arrest, qualified immunity

*USA v. Goldman* - Mandatory Victims Restitution Act, Mel Fisher

*Kerrivan v. RJ Reynolds* - *Engle* progeny, damages, reliance

*US v. Styles* - sentencing

*US v. Ross* - en banc order, search and seizure

## Florida Supreme Court - Tallahassee

*In re Judge Lederman* - judicial discipline, multiple judges

## First District Court of Appeal - Tallahassee

*Miller v. State* - pro se sanctions

*Robinson v. State* - certiorari, timeliness

*Ivey v. State* - on remand, search and seizure

*State v. Ware* - search and seizure

*Copeland v. State* - sentencing

*Hernandez v. DOC* - pro se sanctions

## Second District Court of Appeal - Lakeland

*TCC v. State* - confession, corpus delicti, firearm

*Collier Clerk v. Doe* - clerk of court, confidentiality, duty of care

*Mace v. M&T Bank* - foreclosure, notice, scope of remand

*FIGA v. Valdez* - sinkhole claims, fees, certified question

*HSBC v. Achinelli* - foreclosure, intervention

*Fields v. State* - search and seizure

*Croft v. State* - postconviction relief, jurisdiction

*Jamieson v. Ft Myers Bch* - inverse condemnation, wetlands, Bert Harris

*Letizia v. Ford* - written opinion granted; professional malpractice, limitations

*Doe v. Natt* - arbitration, Airbnb, certified conflict

*Elizon v. Ivy Chase* - foreclosure, standing

*Townsend v. State* - competency

*Brannick v. Pinellas* - premises liability, causation

## Third District Court of Appeal - Miami

*Island Travel v. Myr Indep* - independent tort; civil theft

*Kimbrough v. State* - sentencing

*McDonough v. Homestead* - public records

*Acosta v. Guardianship of Acosta* - contempt

*Robinson v. Christiansen* - marital dissolution, residency

*Guillen v. Rodriguez* - lack of transcript

*H Greg Auto v. Raskin* - stay pending appeal

## Fourth District Court of Appeal - West Palm Beach

*Green v. State* - sentencing

*Walker v. GEICO* - vehicle owner liability

*Woods v. State* - sentencing

*Hollywood v. Perrin* - arbitration

*FLP v. State* - DJJ recommendation, departure

*Gannon v. AirBNB* - Tourist Development Tax

*Bank of Am v. Jones* - foreclosure

*Mook v. State* - postconviction relief

*Miller v. State* - postconviction relief

## Fifth District Court of Appeal - Daytona Beach

*Ciotti v. Hubsch* - unliquidated damages, evidentiary hearing  
*Orange County v. McLean* - civil rights, directed verdict  
*Weeks v. State* - intercepting communications, double jeopardy  
*Hammonds v. State* - appellate jurisdiction, competency  
*Love v. State* - felony murder, burglary, robbery  
*Bishai v. Health Law Firm* - strike, sham; evidentiary hearing  
*Hoyos v. DLJ Mortgage* - *Spencer* warning, pro se  
*Bici v. State* - DUI manslaughter, suppression, sentence  
*Rolfe v. State* - *Anders* appeal, cost  
*Wappler v. State* - cost; 318.18(11)(b)  
*Dumigan v. Holmes Regional* - summary judgment; negligence, surgery  
*Motor Werks v. Moto Werks* - arrears, appellate preservation  
*Croft v. State* - aggravated battery, jury instruction  
*Williams v. State* - *Spencer* warning, pro se  
*O'Neal v. State* - investigative cost; 938.27(1)  
*Woods v. State* - postconviction relief  
*Bradley v. State* - postconviction relief

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