

Florida Appeals Court Decisions: Week of November 9 - 13, 2020

November 14, 2020

U.S. Eleventh Circuit Court of Appeals

Whitehead v. Compass Bank - securities fraud

Turnham v. USA - tax, deductions, notice

Bilal v. GEO Care - civil commitment, substantive due process

NAD v. Florida - appellate jurisdiction, sovereign immunity, ADA

Senter v. USA - postconviction relief, ACCA

Tuomi v. Florida - postconviction relief, right to counsel, ineffective assistance

Florida Supreme Court - Tallahassee

In re Fla Fam L R Pro - corrected opinion, amendments

In re Fla Fam L R Pro - amended rules

First District Court of Appeal - Tallahassee

Casey v. State - pro se sanctions (order)

Second District Court of Appeal - Lakeland

Milling v. Travelers - bad faith, damages, attorney's fees

IOU Central v. Pezzano Contr - rule 1.540, amending judgment

Maki v. Multibank 2009-1 - garnishment, exemption, retroactive amendment

Berry v. State - communications device, use in felony; venue

Ybor Med Inj v. AHCA - license suspension, stay, certified conflict

Third District Court of Appeal - Miami

ESJ II Op v. Airplay Advent - fraud, contract, independent tort

Univ P&C v. Deshpande - fees, notorious billable hours syndrome, expert costs
78D Team v. US Bank - foreclosure, standing
Warlen v. Badeaux - appellate jurisdiction, immediate possession; guardianship, trust
Gonzalez v. State - closing arguments
Piquet v. Clareway Props - certiorari, severance, consolidation
Edgecomb v. State - habeas corpus, "hard labor" sentence

Fourth District Court of Appeal - West Palm Beach

Valentine v. State - eyewitness identification; hearsay
Coccaro v. Geico - class action, standing, commonality
Can Fin v. Niklewicz - foreclosure sale, vacating, mistake
JJD Realty v. Artesa - nunc pro tunc order
Martin v. Eldemire-Martin - writ bodily attachment, contempt
VRJ v. State - juvenile, escape, transportation
Tedford v. State - search and seizure; dog sniffs
Dyck-O'Neal v. Herman - foreclosure, authentication, hearsay
Sears v. State - juror competency, bias
Walding v. State - comment on post-arrest silence, firearm, relevance
Taylor v. State - sentencing, double jeopardy
Bailey v. State - probation violation, competency
BW v. State - delinquency, restitution

Fifth District Court of Appeal - Daytona Beach

Fuller v. State - remand, Stand Your Ground, effective date
Rajabi v. Villas Condo Assn - foreclosure, lien, fees
Stoute v. State - sentencing, concession of error
Stuckey v. State - *Spencer* bar, pro se
Lewis v. State - murder, competency, investigative cost
Thomas v. State - postconviction relief

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