

# 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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