

Florida Appeals Court Decisions: Week of October 12 - 16, 2020

October 17, 2020

U.S. Eleventh Circuit Court of Appeals

Harrigan v. Rodriguez - §1983, excessive force, appeal waiver, *Heck* bar

Zapata v. Att'y Gen - immigration, removal, material support

Hoever v. Marks - vacating *this*, ordering en banc

Florida Supreme Court - Tallahassee

In re Fla Fam Law R Pro - amended rules

First District Court of Appeal - Tallahassee

MacPapers v. Boyd - employment, age discrimination

Brown v. State - postconviction relief

Coleman v. State - Stand Your Ground

Libersat v. State - stalking, evidence

Kustom US v. Henry - venue, accrual, contract breach

Sussman v. DOC - inmate grievance, exhaustion of remedies

Hewett v. State -sentencing

DB v. DCF - certiorari, mootness

Roulac-Lawrence v. State - competency, defendant

Tallahassee Housing Auth v. Prather - voir dire, time limit

Sellers v. Anstett - certiorari, presuit notice, evidentiary hearing

Manning v. State - postconviction relief

Gallion v. State - postconviction relief

Bradley v. State - sentencing

Second District Court of Appeal - Lakeland

JAR v. State - theft, vehicle identification; search and seizure; defender fee

Mallick v. Mallick - timesharing, restrictions, written findings, certified conflict

Shortridge v. State - postconviction relief

TECO v. Gansner - workers' compensation immunity

Melvis v. State - sentencing

Stange v. State - sentencing, stricken *Anders* brief

Drapp v. McDaniel - real property, deed validity, mental capacity

Geary v. State - probation revocation

East Bay v. Reddish - certiorari, punitive damages, nursing home

DHSMV v. Chakrin - second-tier certiorari, driver's license

Third District Court of Appeal - Miami

Doe v. Univ of Miami - duty of care

Tittle v. Dahm - will administration

Sebastian v. City of Miami - federal claim preclusion

Remy-Calixte v. Harvard Fin Servs - scope of remand, discretion

Bailey v. State - scrivener's errors

Quirch Foods v. Broce - employment, restrictive covenants, injunction

Cher v. Fin Ind Serv - second-tier certiorari, standard

Fourth District Court of Appeal - West Palm Beach

Lakeview Loan v. Barr - foreclosure, HUD regulation, proof, letter dispatch

Vital Pharmaceuticals v. Ohel - FCRA, punitive damages, financial worth discovery

Ingalls v. State - sentencing, costs

Dixon v. State - sentencing, costs

BA v. DCF - parental rights, termination, untimely written order

Fifth District Court of Appeal - Daytona Beach

Rosado v. State - attempted murder, *Apprendi* violation

Trendowski v. Robson Forensics - hearing, notice, due process

McCray v. State - postconviction relief

La Rosa v. La Rosa - Spencer bar, pro se

Sparks v. State - *Anders* appeal, costs

Niemi v. State - postconviction relief

Blyden v. State - motion to correct sentence, oath requirement

Dixon v. State - postconviction relief

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