

Florida Appeals Court Decisions: Week of October 19 - 23, 2020

October 23, 2020

U.S. Eleventh Circuit Court of Appeals

Tufts v. Hay - personal jurisdiction, subject matter jurisdiction
Stryker v. Homewood - § 1983, excessive force, qualified immunity
McGroarty v. Swearingen - § 1983, due process, limitations
Torres v. First Transit - new trial, juror misconduct
J-B Weld v. Gorilla Glue - trade dress infringement, dilution, false advertisement
Gallardo v. Mayhew - petition for rehearing denied
USA v. Grow - sufficiency, jury instruction, sentencing
Crawford v. FEG - experts, negligent design, jury instruction, evidence
USA v. Muho - self-representation, FRCP Rule 17(b), sentencing
Pine Mountain v. IRS - tax, conservation easement

Florida Supreme Court - Tallahassee

Craven v. State - capital case, direct appeal

First District Court of Appeal - Tallahassee

Ross v. State - ineffective assistance, appellate counsel
Felten v. State - competency
Chandler v. DOC - postconviction relief
Horn v. State - postconviction relief
Hernandez v. J Sterling Roofing - certiorari, workers' compensation
Burnam v. State - lay witness testimony
Johnson v. Inch - pro se sanctions
Armstrong v. State - appellate jurisdiction
Hysong v. Keller - appellate jurisdiction

Lynch v. State - closing arguments, burden shifting

Gerville-Reache v. Gerville-Reache - child support, imputed income

Sutherland v. State - postconviction relief

Williams v. State - scrivener's error

Ames v. State - competency

Second District Court of Appeal - Lakeland

Newman v. Newman - child support, contempt, vacatur

State v. Watlinton - youthful offender sentencing

Garner v. State - sentencing

Watts v. Goetz - legal malpractice, marital settlement

Third District Court of Appeal - Miami

Gomez v. State - sentencing, mandate enforcement

Gregory v. Key West Welding - appraisal report; rebuttal evidence; collateral source setoff

Gonzalez v. People's Trust - property insurance, cooperation, proof of loss

Skupin v. Hemisphere Media - defamation, tortious interference

Santana v. Miller - employment discrimination, general release

Aleman v. Gervas - breach of contract, individual liability

Johnson v. State - sexual predator designation

Jenkins v. Inch - pro se sanctions

Rodriguez v. Scurtis - certiorari, punitive damages

Huber v. Huber - venue, marital dissolution

Gall v. Philip Morris - prohibition, judicial disqualification

Ledo v. RJ Reynolds - prohibition, judicial disqualification

Fourth District Court of Appeal - West Palm Beach

Patchen v. Quadomain Condo Assn - mootness, attorney's fees, bond

Bay v. USAA - civil remedy notice, waiver

Castillo Grand v. Stern - temporary injunction, findings

Cooper v. Rehab Ctr at Hollywood - arbitration

Mitchell v. State - sentencing, mandatory minimum

Brown v. State - sentencing

Fifth District Court of Appeal - Daytona Beach

State v. Brown - double jeopardy, consent, separate trials

Domino's Pizza v. Wiederhold - special concurrence; jury instruction, agency

RJ Reynolds v. Coates - non-*Engle* progeny, punitive damages, remittitur

Rojas v. US Bank - *Spencer* warning, pro se

Munnerlyn v. State - criminal, motion for acquittal

Turner v. State - criminal, investigative cost

Wood v. State - *Spencer* bar, pro se

Burton v. State - postconviction relief

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