

Florida Appeals Court Decisions: Week of October 5 - 9, 2020

October 10, 2020

U.S. Eleventh Circuit Court of Appeals

New Ga Project v. Raffensperger - election, injunction

USA v. Bruce - search and seizure

USA v. Amede - sentencing, evidence, indictment, right to counsel

USA v. Innocent - criminal, ACCA

USA v. Jones - criminal, ACCA

USA v. Gallardo - mistrial, new trial, *Brady-Giglio* violation, sentencing

USA v. Gayden - indictment delay, search and seizure, *Daubert*, sentencing

USA v. Donatus Iriele - criminal, sufficiency, jury instructions

Florida Supreme Court - Tallahassee

No decisions this week.

First District Court of Appeal - Tallahassee

DHSMV v. Hightower - sovereign immunity, USERRA, FUSPA

Thomas v. Thomas - settlement, enforceability

Carter v. State - murder of LEO, evidence

Williams v. M&R Constr - execution, stay, entireties property

McCray v. FDLE - appellate jurisdiction

DeSantis v. Fla Ed Ass'n - Covid-19, schools, injunction

Roebuck v. Sills - nuisance, neighbors; Homeowners Association Act, fees

Warren v. State - sentencing

Legere v. Legere - equitable distribution

Jackson v. DOC - mandamus, remedy exhaustion

Bristow v. Bristow - mandamus, duty to rule
Grooms v. State - habeas corpus, sentencing
Jackson v. State - habeas corpus, availability
Kiedrowski v. State - belated appeal, availability

Second District Court of Appeal - Lakeland

Dozier v. State - sentencing, scrivener's error
Vandawalker v. State - sentencing
Sack v. WSW Rental - damages, calculation, double recovery
Bowers v. State - return of property

Third District Court of Appeal - Miami

Wright v. State - sentencing, appellate jurisdiction
Escadote I v. Ocean 3 - condominium, release, tortious interference, emotional distress
IconBrickell No. 3 v. New Media - condominium, shared facilities
Z Roofing v. Bank of Am - party substitution
Poet Theatricals v. Celebrity Cruises - trade secrets, cruise ship aerial acrobatics
Perez v. Salmeron - unjust enrichment
People's Trust v. Portuondo - insurance appraisal
Lee v. Matsuda - stalking injunction
Ocwen v. 21 Asset Mgmt - certiorari, stay, other proceedings
Safepoint Ins v. Gonzalez - certiorari, work product, attorney-client privilege
Martinez v. Reyes - timesharing
La-Casse v. Inch - habeas corpus, pro se sanctions

Fourth District Court of Appeal - West Palm Beach

Cavanaugh v. Stryker - consumer expectations instruction, jury selection
Frenkel v. Costa - temporary relief, dissolution
Joseph v. State - ineffective assistance, evidentiary hearing
JB v. State - false report
State v. Torres - text messages, authentication
QH v. Sunshine State Health - appellate attorney's fees
QH v. Sunshine State Health - Medicaid coverage, growth hormone

CNN v. Black - certiorari, journalist privilege

Fifth District Court of Appeal - Daytona Beach

Wright v. State - postconviction relief

Rogers v. State - Stand Your Ground, prima facie

Lovett v. State - criminal, costs, concession of error

State v. Finley - ineffective assistance, trial

Sylvester v. Sylvester - child support, modification

Chounard v. State - *Anders* appeal, costs

Perry v. State - costs

Williams v. State - probation, special condition, overbreadth

Petit v. State - *Anders* appeal, costs

Melchione v. Temple - special concurrence, paternity, fees

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