

# 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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