

# Florida Appeals Court Decisions: Week of April 12 - 16, 2021

April 16, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v Russell* - sentence reduction

*In re: Courtney Wild* - en banc, Jeffrey Epstein, Crime Victims' Right Act

*Miller v. Gizmodo* - defamation, fair report privilege

*Uzuegbunam v. Preczewski* - nominal damages, mootness

## Florida Supreme Court - Tallahassee

*Doty v. State* - order denying rehearing, concurrence

*Woodbury v. State* - capital case, direct appeal

*In re R Reg Fla Bar* - amended bar rule, CLE programs, prohibiting quotas

## First District Court of Appeal - Tallahassee

*Hartz v. Wells Fargo* - foreclosure, condition precedent, VA regs, amounts owed

*McArthur v. State* - inadvertent photo display, *Miranda*, text messages

*Gibson v. State* - prior consistent statement

*Coleman v. State* - hearsay, preservation of error

*Burnett Int'l Col v. Bd of Nursing* - nursing program, termination, formal hearing

*Point Conversions v. Natha Govan* - mandamus

*Williams v. State* - postconviction relief

*Cook v. DOC* - public records, hearing requirement

*Gilbert v. State* - ineffective assistance, appellate counsel

*Romero v. State* - sentencing

*Tanner v. Tanner* - marital dissolution, equitable distribution,

*Global Hookah v. DBPR* - tobacco, tax, Commerce Clause challenge

*Ramsey v. State* - competency  
*Kirkland v. State* - probation revocation  
*Blue v. State* - ineffective assistance, appellate counsel  
*Watts v. State* - pro se sanctions  
*Cuellar v. Rubi* - appellate jurisdiction, final order

## Second District Court of Appeal - Lakeland

*212 W 18 v. Kozel* - proceedings supplementary judgment, underlying decision reversal  
*Finlaw v. Finlaw* - probate, devise, partnership agreement  
*Laquidara v. Houghtaling* - stalking injunction, evidence  
*State v. Michaud* - certiorari, sentencing  
*UATP Mgmt v. Barnes* - arbitration  
*Villagio at Estero v. Am Cap Assur* - insurance appraisal, certified conflict  
*Avatar P&C v. Flores* - certiorari, discovery  
*Siesta Key Ass'n v. Sarasota* - beach restoration, EPA challenge  
*Ranucci v. Palmetto* - real property, annexation, limitations statute  
*Wilkinson v. Bell* - contempt, parenting plan  
*Friedberg v. O'Doyle Rules* - real property, contract, first refusal

## Third District Court of Appeal - Miami

*Valdes v. State* - Stand Your Ground, conflict certified  
*Harris v. Walker* - standard of review  
*Readon v. WPLG* - dismissal with prejudice, defamation  
*BJ's v. Bugliaro* - class certification, injunction, FDUTPA  
*THH v. Caceres* - motion to dismiss, personal jurisdiction  
*FM3 Liquors v. Bien-Aime* - landlord, tenant  
*Lubin v. State* - postconviction relief  
*Jefferson v. State* - postconviction relief  
*United Auto v. Gables Rehab* - summary judgment

## Fourth District Court of Appeal - West Palm Beach

*Cannon v. State* - battery; burglary of conveyance  
*Cohen's Org v. Premier Fire* - alter ego, corporate veil  
*Powers v. State* - sentencing, DUI  
*Sinclair v. State* - *Miranda*, reinitiating dialogue  
*Lenmar Realty v. Sun Electric* - lease, rental monies, court registry

[\*Herman v. State\*](#) - expert, unpreserved error

[\*Colarte v. State\*](#) - sentencing, costs

[\*OH v. State\*](#) - delinquency; disposition order

[\*Lafayette v. Moody\*](#) - peremptory challenge, *Melbourne*

[\*AE v. State\*](#) - delinquency; probation, hearsay

# Fifth District Court of Appeal - Daytona Beach

[\*Palmer v. Palmer\*](#) - dissolution, child support, alimony

[\*Veith v. Veith\*](#) - dissolution, child support, equitable distribution

[\*Lindberg v. Fitzgerald\*](#) - certiorari, frivolousness, pro se warning

[\*Lindberg v. Citro\*](#) - certiorari, frivolousness, pro se warning

[\*Lindberg v. Assam\*](#) - certiorari, frivolousness, pro se warning

[\*Bufford v. State\*](#) - *Spencer* bar, pro se

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