

# Florida Appeals Court Decisions: Week of August 9 - 13, 2021

August 14, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v. Harris* - Batson, trial rulings

*US v. Akwuba* - jury instructions, trial rulings

*Simon v. SSA Comm'r* - disability benefits

*Support Working Animals v. Fla Gov* - standing

*Behr v. Campbell* - Rooker-Feldman

*US v. Coats* - sentencing

*Bradshaw v. FAA* - procedural due process

*Ridgewood Health Care v. NLRB* - union activity

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*Walker v. State* - principal instruction

*Hightower v. State* - postconviction relief

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

*Matthews v. Jacksonville* - mandamus

*Holifield v. Big Bend Cares* - public records, open meetings

*Richardson v. State* - Faretta, cross-examination, kidnapping

*Upton v. State* - sentencing

*Wooden v. Panama Bch* - sovereign immunity

*FWCC v. Hahr* - sovereign immunity

*Dukes v. State* - postconviction relief

*Simpkins v. State* - pro se sanctions

## Second District Court of Appeal - Lakeland

*Gilbert v. State* - evidence, Facebook messages, journal, closing

*Marcario v. State* - statute of limitations

*Maas v. HSBC* - criminal contempt

*Castro v. Sun n Lake Sebring* - foreclosure, rule 1.540

*Juhl v. Juhl* - rule 1.525, family law cases

*EP v. Lakeland PD* - virtual hearing, notice

*Wright Ins v. Nationwide* - bad faith, statute of limitations

*Burns v. Lynwood Arnold* - voluntary dismissal, subsequent order

*Samaniego v. Samaniego* - alimony

*Iwanicki v. Safepoint Ins* - insurance, premature suit, contract breach

*OTI Fiber v. Centerstate Bank* - contract breach

*Watrous v. State* - First Amendment, panhandling

## Third District Court of Appeal - Miami

*Couch v. State* - postconviction relief

*Izaguirre v. Sanchez* - family law, relocate

*Lenahan v. Lenahan* - attorney's fees

*Morikawa v. Castro* - claim dismissal

*Ransom v. Brocklin* - custody, due process

*Walls v. State* - postconviction relief, mootness

*Perez v. Jaimot* - partition, jurisdiction

## Fourth District Court of Appeal - West Palm Beach

*Puzio v. State* - remand, resentencing, first-degree murder

*Brevil v. State* - sale of drugs, child care facility, required signage

*Taubenfeld v. Lasko* - fiduciary duty, conversion

*Kaiser v. State* - probation revocation, imprisonment

*Cabrera v. State* - ineffective assistance, trial; evidentiary hearing

*N Broward Chiro v. GEICO* - PIP insurer, deductible, § 627.736

*MB v. DCF* - parental rights, termination

*IMC Med Ctr v. Deluca* - certiorari, irreparable harm, discovery

*Oakland Park v. Progressive Ins* - dismissal, due process, pretrial stipulation

# Fifth District Court of Appeal - Daytona Beach

*Wells Fargo v. EFT Corp* - negligent misrepresentation, punitives

*Widerman Malek v. Special Needs Trust* - sanctions, joint and several

*Wilson v. DCF* - adoption petition, dismissal

*Knight v. State* - child molestation, competency, child hearsay

*Gonzalez v. State* - *Spencer* warning, pro se

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