

# Florida Appeals Court Decisions: Week of December 27 - 31, 2021

December 31, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v. Sharp* - waiver, ACC

*Klaas v. Allstate* - life insurance, concurrence

*Gil v. Winn-Dixie* - mootness, rehearing

*Hewitt v. IRS* - taxes, APA

*Yates v. Pinellas Hematology & Oncology* - FCA, excessive fines, dissent, concurrence

*US v. McAvoy* - FCA, concurrence, call for en banc review

## Florida Supreme Court - Tallahassee

No decisions this week.

## First District Court of Appeal - Tallahassee

*Seaside Town Council v. Seaside Comm'y Devel* - standing, neighborhood associations

*Berrios v. DOC* - certiorari, prisoners, equal protection

*Hayes v. State* - habeas corpus

*Jackson v. State* - postconviction relief

*Tejeda v. Hialeah* - workers' compensation

## Second District Court of Appeal - Lakeland

*Naples v. Chops City Grill* - premises liability, control

*Drejka v. State* - murder, evidence, closing argument, site view

*Scott v. State* - sentencing

*Naples Estates v. Glasby* - unpaid rent, damages, evidence

*State v. Smith* - sentencing

*Kalke v. Kalke* - trial continuance

*Harris v. State* - sentencing

*Shamburger v. Washington* - election, residency challenge

## Third District Court of Appeal - Miami

*Hernandez v. Citizens* - *Kozel*, evidentiary hearing

*Redhammer v. ASI* - insurance, appraisal

*GE Real Estate v. Mandich Real Estate* - broker, tortious interference, conspiracy

*Enviropower v. Ritger* - deficiency judgment, evidentiary hearing

*Damas v. Rappleye* - rule 1.440, trial date, continuance

*Roberts v. State* - sentencing

*Dupree v. Dellmar* - mandamus, county court jurisdiction

## Fourth District Court of Appeal - West Palm Beach

No decisions this week.

## Fifth District Court of Appeal - Daytona Beach

*Meraz v. Meraz* - certiorari, county court

*Pine v. State* - obscene materials, minor, public danger

*Bathke v. Costley* - dissolution, tax consequences, interest

*Schreiber v. Schreiber* - dissolution, fees, substantial evidence

*Williams v. State* - Prison Releasee Reoffender Act, constitutionality

*Vedder v. State* - resentencing

*Figueroa v. State* - investigative cost

*Ray v. State* - postconviction relief

*Dumas v. State* - prohibition, disqualification

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

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

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