

Florida Appeals Court Decisions: Week of January 18 - 22, 2021

January 22, 2021

U.S. Eleventh Circuit Court of Appeals

USA v. Henco - tax, statute of limitations, transferred assets

Hickman v. Spirit of Athens - FCA, retaliation

Cote v. Philip Morris - punitive damages award

Smith v. Crisp Regional Hospital - EMTALA, delay in transfer

Florida Supreme Court - Tallahassee

Citizens v. Manor House - insurance, breach, consequential damages

In re Fla R Jud Admin - amended rules

In re Fla R Jud Admin 2.420 - amended rule

First District Court of Appeal - Tallahassee

Wharton v. State - absence of alibi witnesses

Warren v. State - habeas corpus

Thomas v. State - search and seizure

Second District Court of Appeal - Lakeland

Hampson v. Hampson - alimony

Ke v. Gallagher - opportunity to secure counsel

Scott v. Lee Cnty Sch Bd - mandamus, public records

Thomas v. State - postconviction relief

Wilson v. State - sentencing

Am Cap Assur v. Cayman I - insurance, appraisal, certified conflict

Cummings v. State - Stand Your Ground

Meyers v. Shontz - new trial standards

DH v. JH - child support

Villagio at Estero CA v. Am Cap Assur - insurance, appraisal, stay

Third District Court of Appeal - Miami

Baxter v. State - murder, evidence

Lawrence v. State - probation revocation

Univ P&C v. Horne - insurance, noncompliance, waiver

Vice City Marina v. Four Ambass - condo law, declaration, rights, mootness

Cisneros v. Guinand - judicial disqualification

Romero v. State - second-tier certiorari, First Amendment, overbreadth, threats

Moise v. Ola CA - litigation privilege

Woods v. State - sentencing

Ferro v. ECI Telecom - certiorari, simultaneous litigation

Fourth District Court of Appeal - West Palm Beach

Sols v. State – sentencing

Safepoint Ins v. Ginsberg – rule 2.516; s. 57.105

Ferrer v. Jewelry Repair – franchisor, agency, control

Internal Improvement Trust Fund v. Waterfront ICW – quiet title

Mendina v. State – name change petition, criminal history

Burkeen v. State – sentencing

Varsam v. State – closing argument, fundamental error

Washington v. State – sentencing

Lundsford v. Engle – child custody, jurisdiction, due process

Fifth District Court of Appeal - Daytona Beach

Greenshields v. Greenshields - directed verdict, compulsory counterclaims, tortious interference

Bryant v. State - sentence

School Bd of Volusia Cty v. Fla East Coast Charter School - charter school application, administrative appeal

Harvey v. State - murder, robbery, life sentence

Kent v. Diaz-Navedo - *Younkin*, certified question; expert financial discovery

Jackson v. State - postconviction relief

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