

Florida Appeals Court Decisions: Week of January 25 - 29, 2021

January 30, 2021

U.S. Eleventh Circuit Court of Appeals

NMA v. US DOL - MSHA rule

Emory University v. Neurocare - indemnity

Garcia v. USA - vacating *this* and holding in abeyance

AC-USA v. Silikal - personal jurisdiction, trade secret, misappropriation

Florida Supreme Court - Tallahassee

Fla Bar v. Phoenix - attorney discipline

Casiano v. State - mootness, sentencing

In re Fla R Jud Admin - rules committees, procedures

In re Fla R Jud Admin - standard jury instructions, procedures

First District Court of Appeal - Tallahassee

Hunt v. State - bump-fire stock ban, constitutional challenges

Hathaway v. State - evidence, murder, burglary, kidnapping, robbery

Schmidt v. State - statutory interpretation, probation

Rodarte v. State - prohibition, Stand Your Ground

Powell v. State - evidence, intent

MTGLQ Inv v. Merrill - foreclosure, return of original note, mortgage

Moultrie v. State - sentencing

Himes v. State - postconviction relief

Gilligan Gooding v. Condor Aerial - § 57.105

Wilson v. Jacks - vicarious liability, pleading

Grantham v. State - postconviction relief

Rice v. State - pro se while represented

Second District Court of Appeal - Lakeland

Everett v. Avatar P&C - coverage, summary judgment, deficient affidavit

Kerkhoff v. Estate of Brown - probate, fees, rules 1.420 & 5.080

Peters v. State - sentencing

Brown v. State - search and seizure

Country Walk HA v. Rader - appellate jurisdiction

Taneja v. Downtown St Pete - unpled relief

Third District Court of Appeal - Miami

Dayes v. Werner Ent - expert testimony, conduit for hearsay

Dixon v. DACS - licensing, informal hearing request

Santos v. Miami - confession of error

Mantilla v. DOR - confession of error, imputed income

Ace Funding v. A1 Transp - default judgment, vacatur

EH v. DCF - dependency

Fourth District Court of Appeal - West Palm Beach

Ritacco v. Ritacco - dissolution, alimony

Tindall v. State - mental state, expert evidence

Pash v. Mahogany Way HOA - lien, unpaid assessments

Aquarius Condo Assn v. Goldberg - arbitration, injunction, jurisdiction

Bailey v. Bailey - intervention, dissolution

Reconco v. Integon Natl Ins Co - standing, third-party beneficiary

BA v. DCF - termination parental rights

Machovec v. Palm Beach - mask mandate, injunction

Fifth District Court of Appeal - Daytona Beach

Maisonet v. State - remand, postconviction relief

Boswell v. State - probation, abbreviated hearing, conceded error

Allen v. State - Spencer bar, pro se

Buechel v. Shim - proceedings supplementary, foreign property; certified conflict

[State v. Decker](#) - postconviction relief

[McKiver v. State](#) - postconviction relief

[Wiker v. State](#) - sentence

Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.