

Florida Appeals Court Decisions: Week of January 4 - 8, 2021

January 09, 2021

U.S. Eleventh Circuit Court of Appeals

USA v. Kushmaul - sentencing

Garcia v. USA - postconviction relief

Florida Supreme Court - Tallahassee

Wright v. State - capital case, postconviction relief

In re Fla R Crim P - amended rule, contempt

First District Court of Appeal - Tallahassee

Maganua v. McNeil - habeas corpus

Cooper v. State - right to counsel, waiver

Maxwell v. State - competency for trial

Black Knight v. PennyMac - arbitration, waiver

Davis v. State - amending initial brief

Bonifay v. State - sentencing

Milne v. Inch - inmate claims, liens

Minton v. State - appellate jurisdiction

Hart v. State (12/31) - juvenile sentencing

AHF MCO v. AHCA (12/31) - bid protest, standing

Pearce v. State (12/31) - competency for sentencing

Cristin v. Everglades Corr Inst (12/ 31) - workers' compensation

Smith v. State (12/ 31) - probation revocation

Mills v. State (12/ 31) - second-tier certiorari, judicial disqualification

Mills v. State (12/ 31) - postconviction relief

Second District Court of Appeal - Lakeland

Tanner v. State - right to silence; evidence, cell phone password, hearsay

Schwoerer v. State - double jeopardy

Holder v. State - probation revocation

Abdo v. Abdo - prohibition, deviation from mandate

Tanner v. Hart - certiorari, discovery, medical records

Flint v. State - sentencing

State Farm v. Parrish - disinterested appraiser, final order; certified conflict

N Trust v. Est of Walker - probate, appellate jurisdiction

Williams v. State - postconviction relief

State v. Fernandez - search and seizure, standing

Money v. Home Perf Alliance - FDUTPA, attorney's fees, settlement

Algieri v. State - probation revocation

Pagan v. State - sentencing

Deaterly v. Jacobson - certiorari, punitive damages

Third District Court of Appeal - Miami

Glickman v. Kindred Hosp - security services, duty to others, summary judgment

Frank v. Frank - equitable distribution, alimony, findings

Sejas v. Paredes - appellate jurisdiction, fee award without amount

Garcia v. Espinosa-Garcia - alimony, child support, parenting plan

Buy & Sell Fitness v. Villalba - venue

Jackson Health v. Louis - prohibition, employment, failure to exhaust remedies

Fourth District Court of Appeal - West Palm Beach

Cuevas v. State - clergy communication privilege

Brown v. State - missing transcript, suppression hearing

Saffold v. State - sentencing

Vasata v. State - theft, intent

Petroleos Mexicanos v. Rodriguez - arbitration, parties bound, waiver

Jacocks v. Capital Commercial - arbitration, parties bound

Oakmont Custom Homes v. Billings - arbitration, parties bound

Harris v. State - sentencing

Gleman v. MWH Americas - fraud on the court, sham pleading

Campbell v. Riggs - civil theft, summary judgment

Hunter v. State - aggravated assault; civil mischief

State v. Huntley - child abuse, intent, stacking inferences

Elalouf v. School Board, Broward Cnty - preservation; release, ambiguity

Nunes v. Herschman - § 92.57, witness, "judicial proceeding"

Fifth District Court of Appeal - Daytona Beach

Calabrese v. State - sentencing

Est of Isenberg v. Smith Equities - rule 1.525, timeliness

Tolliver v. State - postconviction relief

Pace v. Pace - contempt

Jimenez v. Perez - parental relocation; lack of transcript

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