

# Florida Appeals Court Decisions: Week of June 21 - 25, 2021

June 25, 2021

## U.S. Eleventh Circuit Court of Appeals

*Belcher Pharma v. Hospira* - FDCA, Lanham Act

*TOT Prop v. Comm'r Int Rev* - tax deduction, deed, savings clause

*Hamrick v. Partsfleet* - arbitration, employment contracts

*Akridge v. ALFA Mut Ins* - discovery, depositions, corporate management

*Fedance v. Harris* - securities, FLiK, limitations, fraudulent concealment

*Goodloe v. Royal Caribbean* - wrongful death, choice of law, maritime

*S Grande View v. Alabaster* - eminent domain, evidence

*USA v. Henry* - sentencing

## Florida Supreme Court - Tallahassee

*Puzio v. State* - sentencing, juveniles

*Bargo v. State* - capital case, direct appeal

*WVMF Funding v. Palmero* - foreclosure, mortgage/note conflict

## First District Court of Appeal - Tallahassee

*CH v. State* - delinquency

*King v. DOC* - inmate trust lien

*Boyd v. State* - belated appeal

*Love v. Young* - en banc denial, gender identity discrimination

*Finch v. Finch* - contempt

*Giddens v. State* - evidence, inquiring about truthfulness

*Jenkins v. State* - scrivener's error

## Second District Court of Appeal - Lakeland

*Petterson v. State* - scrivener's error

*KW v. State* - search and seizure

*Freeman v. Rogers* - failure to appear, virtual appearance efforts

*SE Concrete v. West Surety* - venue, venue selection clause

*Ellerson v. Moriarty* - legal malpractice, elements

*Thompson v. State* - pro se sanctions

*Ross v. State* - search and seizure

*Waite v. Chapman* - stalking injunction, mootness

*Idelson v. Carmer* - parenting plan

## Third District Court of Appeal - Miami

*Cole v. Citizens* - insurable interest, standing, allegations

*Crawley-Kitzman v. Hernandez* - complaint, sufficiency

*Sports Channel v. Tabib* - personal jurisdiction, forum non conveniens

*Hidalgo v. Citizens* - certiorari, expert discovery

*TV 109 v. Turnberry Village* - arbitration, injunction

*State Farm v. Central Therapy* - summary judgment

*Axen v. Cutler Manor* - eviction

*Kratos v. Direct Investments* - certiorari, summary judgment, immediate execution

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

## Fourth District Court of Appeal - West Palm Beach

*RJR v. Kaplan* - rehearing; closing argument; harmless error

*Teets v. State - Richardson*

*Ellis v. US Bank Trust* - foreclosure, attorney's fees

*Almarales v. State* - closing argument, bolstering victim

*Assoc in Family Practice v. Allstate* - PIP, CPT codes, unbundled

*State v. Stephenson* - motion to vacate plea, time limit

*State v. Emmanuel* - speedy trial; pandemic; suspended time periods

*Jenkins v. State* - indirect criminal contempt, jurisdiction; dissent

*Domino v. Nielsen* - ratification, actual notice

*Schmidt v. Schmidt* - attorney's fees, appeal, ripeness

*Marquez v. Rivera* - temporary injunction, stalking, continuation

*Locke v. Whitehead* - default judgment, motion to vacate, punitive damages

*Allstate v. Katzell* - PIP, reimbursement rate

# Fifth District Court of Appeal - Daytona Beach

*Similien v. State* - sentencing error, written pronouncement

*Safepoint Ins v. Hallet* - summary judgment, insurance, waiver

*Smith v. Fenton-Smith* - dissolution, attorney's fees

*Moore v. Moore* - dissolution, judgment, contempt

*Cooper v. Cooper* - dissolution, timesharing, parental responsibility

*Peck v. Rosado* - injunction, stalking; due process

*LWT v. Schmidt* - default judgment, vacate; small claims

*Merino v. Powell* - prohibition, disqualification

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