CARLTON FIELDS

Florida Appeals Court Decisions: Week of March 8 - 12, 2021

March 13, 2021

U.S. Eleventh Circuit Court of Appeals

US v. Rogers - sentencing
Helm v. Carroll - qualified immunity, 1983
US v. Knights - Fourth Amendment
Breland v. US - standing
Granda v. US - crime-of-violence predicate
Ruiz v. Wing - time to appeal
Smith v. Bokor - CAFA

Florida Supreme Court - Tallahassee

In re Covid - latest administrative order
In re Fla R Juv P - amended rules

First District Court of Appeal - Tallahassee

Philip Morris v. Brown - attorney's fees, current rate, prejudgment interest
Armas v. State - murder, medical examiner testimony, self-representation
Chehardy v. Harrison - driver license, farm tractor exception
Fla Carry v. Thrasher - firearms regulations, administrative remedies
Shirah v. State - return of property
Fine v. State - sentencing
Jones v. State - sentencing
Ketterling v. Morris - multiple settlement proposals
Kramer v. State - plea withdrawal
Barner v. State - habeas corpus, postconviction relief

Kelly v. State - sentencing

Second District Court of Appeal - Lakeland

Sweeney v. Sweeney - appellate jurisdiction, fees without amount
Murphy v. Murphy - equitable distribution, child support
Higdon v. DCF - mootness
Chumney v. State - double jeopardy
Herce v. Maines - fees, magistrate recommendation
State v. Cosby - sentencing
Christ v. Deutsche Bank - foreclosure, notice, para 22
Anderson v. Miller Bey Paralegal - real property, invalid deed
RS v. SK - timesharing modification
Leombruno v. State - sentencing, preservation of error
Irvin v. LJ's Package - nonbinding arbitration award, setoff
Palmateer v. Palmateer - appellate fees, disgorgement, jurisdiction
Vidana v. State - probation revocation
Johnson v. State - postconviction relief
Bond v. Luzinski - forum selection clause
Cavey v. Wells - certiorari, deposition, sheriff, apex doctrine
Wheeler v. State - pro se sanctions
Am Cap v. Palmetto Dunes - insurance, appraisal, certified conflict

Third District Court of Appeal - Miami

Mori v. Fortune - real estate, specific performance
Nunez v. Universal - new trial, directed verdict, insurance
Miami v. Ortiz - summary judgment, arbitration
Sans Souci HOA v. Lukov - frivolity sanctions
Ramirez v. State - postconviction relief
Mays v. State - post trial release motion
Calderin v. Mining - prohibition, bankruptcy
Miramar v. Garcia - certiorari, protective order, real property
Luxcom v. Palmetto Bay - certiorari, zoning

Fourth District Court of Appeal - West Palm Beach

Fernalld v. ABB Inc. - remittitur
Colon v. Riviera Beach - release, FCRA

Belt v. USAA - jury instruction, multiple impacts
Nugent v. Michelis - attorney's fees, basis
State v. Cassaday - self-defense immunity
Share v. Broken Sound Club - implied covenant of good faith, operational decisions

Fifth District Court of Appeal - Daytona Beach

Jackson v. State - *Anders* appeal, cost
Lopez v. Avatar Prop & Casualty Ins - summary judgment, material misrepresentations
Lumsden v. State - jury instruction, good faith defense, new trial
Smith v. State - probation revocation, substantial evidence
Barrett v. Barrett- dissolution, fraudulent testimony, reopen case
Callahan v. State - postconviction relief
Watson v. State - sentence
Taylor v. Gonzalez - lack of transcript, magistrate
State v. Kemp - certiorari, postconviction relief
Wood v. State- *Spencer* warning, pro se

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