

Florida Appeals Court Decisions: Week of May 17 - 21, 2021

May 21, 2021

U.S. Eleventh Circuit Court of Appeals

Tolar v. Bradley Arant - retaliation

US v. Garcon - First Step Act

US v. Jackson - sentencing

US v. Stevens - appellate review, First Step Act

US v. Castaneda - child exploitation, pornography, sentencing

US v. Potts - sentencing

Islam v. Secy Homeland Sec. - immigration, terrorist organizations

US v. Taylor - sentencing

Florida Supreme Court - Tallahassee

In re Code Jud Cond - amended rules, senior judges

State v. Dortch - involuntary plea, withdrawal, fundamental error

Wall v. State - CCRC, counsel waiver

Adv Opin re Work from Home - ethics, non-Fla attorney, Fla home

In re J Howard - judicial discipline

First District Court of Appeal - Tallahassee

Forsythe v. State - sentencing, certified conflict

Carter v. State - pro se sanctions

Longoria v. State - pro se sanctions

ABC v. Target - alcohol, consumption on premises, admin challenge, standing

DBPR v. Target - alcohol, customarily sold, admin challenge, standing

ABC v. DBPR - alcohol, customarily sold, admin challenge, standing

Point Conv v. Omkar Hotels - subject matter jurisdiction, patents, certified conflict

DOH v. Dorn - certiorari, health care investigations, disclosure
Godbolt v. State - molestation, evidence
Jackson v. DOR - child support, preservation of error
Swarek v. Lindsay - injunction, personal jurisdiction, service
Mathers v. AHCA - Medicaid lien, challenge, timeliness
1701 Collins v. DOR - documentary stamp tax, surcharge, overpayment
Farrell v. State - pro se with counsel

Second District Court of Appeal - Lakeland

State Farm v. Wilson - UM coverage, stacking, access to courts
Frederick v. State - habeas corpus, bail conditions
McMahon v. State - probation revocation

Third District Court of Appeal - Miami

Summerland Key Cove v. Murphy - easement, usurp corporate opportunity
Dov v. Nirestates - service of process, waiver
People's Trust v. Marzouka - appraisal
People's Trust v. Espana - election to repair endorsement
At Home Care v. Carhart - unliquidated damages
Rubiella v. Cascade - attorney's fees
Lacaille v. Lesur - forum non conveniens
Soler v. Fed Nat'l Mtg - foreclosure, nonparty
Klock v. Citibank - motion to disqualify
FYES v. HGR - motion to intervene
Kurland v. Hamilton Law - certiorari, stay
Belyak v. Lake Holding - certiorari, jurisdiction

Fourth District Court of Appeal - West Palm Beach

School Bd of Broward Cty v. McCall - sovereign immunity
Rabadan v. Rabadan - alimony
Gulfstream Park Racing v. Volin - certified question; medical bills, Medicare satisfaction
Vainberg v. Avatar Prop Ins- Drew contract instruction; unpled defense
Freeborn v. Freeborn- dissolution, alimony, imputed income, fees
Cano v. Guardianship of Cano - default judgment, amended petition
Blue Star v. First Protective Ins - summary judgment, payment dispute
Joseph v. Leisure Days - eviction; appellate jurisdiction, finality

[*Alliance Spine v. GEICO*](#) - PIP benefits, amendment to complaint

[*Sunrise Chiropractic v. Security Nat Ins*](#) - PIP benefits, Medicare payment files, two percent reduction

[*Galman v. Signature Home Theaters*](#) - lack of transcript

Fifth District Court of Appeal - Daytona Beach

[*Gabriel v. State*](#) - remand, sentence

[*Osceola Cty BOCC v. Sand Lake Surgery Ctr*](#) - discovery, medical bills, discounts

[*Ramirez v. State*](#) - postconviction relief; ineffective assistance, trial

[*Cobb v. State*](#) - *Spencer* warning, pro se

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