

# Florida Appeals Court Decisions: Week of November 22 - 24, 2021

November 24, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v. Grady* - RFRA, sentencing

*US v. Litzky* - intellectual disability, sentencing

## Florida Supreme Court - Tallahassee

*In re DCAs* - recommended DCA realignment

*In re Add'l Judges* - additional judges

*In re J Bryson* - judicial discipline

## First District Court of Appeal - Tallahassee

No decisions so far this week.

## Second District Court of Appeal - Lakeland

*Jones v. State* - postconviction relief

*Pinkston v. State* - postconviction relief

*Gary v. State* - independent act jury instruction

*Archer v. State* - sentencing

*Barnett v. State* - sentencing, snapout forms disapproval

*Hurtado v. State* - postconviction relief

*Happel v. State* - postconviction relief

*Romo v. State* - leaving scene, evidence

## Third District Court of Appeal - Miami

*Rodriguez v. State* - circumstantial evidence, certified question

*OH v. APD* - social program, IQ score, constitutional challenge

*Duff-Esformes v. Mukamal* - probate, interim expenses

*Auction Co v. Russell Revoc Trust* - fees, premature appeal

*Namon v. Elder* - probate, nonclaim statute

*Watts v. State* - postconviction relief

*Velasquez v. Mendieta* - timesharing, GAL

*Sweetwater v. Pichardo* - sovereign immunity

*Hudson v. State* - postconviction relief

*Carrington Mort v. Nicolas* - prohibition, contempt, perjury

*Schmelzer v. Frankel* - prohibition, judicial disqualification

*Toirac-Aguilera v. State* - pro se sanctions

*Bank of Am v. Colombo* - certiorari, punitive damages

## Fourth District Court of Appeal - West Palm Beach

*Gursky v. State* – competency, expert testimony

*Mote Wellness v. State Farm* – lack of prosecution, notice, small claims

*El Brazo v. 24 Hour Air* – attorney’s fees, amount, multiplier

*People’s Trust Ins v. Nowroozpour* – insurance, duty to repair, appraisal

*Modway v. OJ Commerce* – personal jurisdiction, waiver, venue clause

*Cartelli v. Green* – probate, objection to accounting, factual findings

## Fifth District Court of Appeal - Daytona Beach

No decisions so far this week.

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