

Florida Appeals Court Decisions: Week of October 11 - 15, 2021

October 16, 2021

U.S. Eleventh Circuit Court of Appeals

Hernandez v. Plastipak Packaging - FLSA

US v. Giron - compassionate release

US v. Approx \$281,110 Seized - right to attend trial

WBY v. Chamblee, Ga - property rights

Florida Supreme Court - Tallahassee

Fla Bar v. TIKD - unauthorized practice

Dodgen v. Grijalva - *Worley*, expert discovery

Younkin v. Blackwelder - *Worley*, expert discovery

In re Fla R Juv Pro - amended rules

First District Court of Appeal - Tallahassee

Harrison v. Leon Clerk - bond forfeiture, remission

Brinegar v. State - attempted murder

Hamilton v. Hamilton - stalking injunction

Reilly v. Reilly - equitable distribution

Lee v. Harper - negligence, duty of care

Robinson v. State - search and seizure

Fla Prepaid v. Intuition College Sav - rule challenge

Felton v. State - involuntary treatment

Wilson v. State - pro se sanctions

Second District Court of Appeal - Lakeland

Denman v. Flanagan - sentencing
Pickle v. State - alligator eggs, racketeering conspiracy
Dillard v. State - murder, instructions
AR v. DCF - dependency, adoption
Mirro v. Freedom Boat Club - arbitration
Defuria v. State - postconviction relief
Mays v. State - postconviction relief
Robinson v. Sec 23 Prop Owners - pro se sanctions
Rodriguez-Olivera v. State - ineffective assistance; cross-exam
Strader v. Carpenter's Crest OA - appellate jurisdiction
Ellison v. Willoughby - insurance, settlement, setoff, certified question
Osprey Health Care v. Pascazi - arbitration
Meiselman v. Meiselman - appellate jurisdiction
Agenor v. State - sentencing
Futch v. Haney - probate, elective share
Franz v. Franz - alimony modification

Third District Court of Appeal - Miami

Torres v. Kendall Healthcare - medical malpractice, presuit
Luna Lam v. Univision - defamation, anti-SLAPP
Baptist Health v. Fernandez - remittitur, findings
Swiss v. Flanagan - probate, will, undue influence
Union Restoration v. Heritage P&C - insurance, standing, contractor

Fourth District Court of Appeal - West Palm Beach

Kidwell Group v. Geovera - insurance, assignment of claims, restrictions
Damage Serv v. Citizens - insurance, reimbursement cap
Gould v. Fairwinds Motel - appellate jurisdiction
Fla Woman Care v. Nguyen - arbitration, non-signatories, waiver
Andrade v. State - drug court program, admission, discretion
Rodriguez v. State - crime, place of commission, jurisdiction

Fifth District Court of Appeal - Daytona Beach

Silver Springs v. Broadway - new trial, improper evidence

Central Fla Med v. Progressive - proposal for settlement, fees

Soundbar v. Tawasha - unpaid rent, deposit, court registry

Tellam v. Bank of America - *Spencer* bar, pro se

Toomey v. State - probation revocation, hearsay

Hardy v. State - habeas corpus

Cummings v. State - *Spencer* warning, pro se

Mosby v. State - *Spencer* warning, pro se

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