

# Florida Appeals Court Decisions: Week of October 25 - 29, 2021

October 29, 2021

## U.S. Eleventh Circuit Court of Appeals

*Autauga Cty Emergency Mgmt v. FCC* - 911 calls

*Del Valle v. US Secy of State* - Consular review, jurisdiction

*Ginsburg v. US* - tax penalty

*Hunstein v. Preferred Collection* - FDCPA, standing, dissent

*Common Cause v. Ga Secy of State* - attorney fees

## Florida Supreme Court - Tallahassee

*Rogers v. State* - capital case, postconviction relief

*Fla Bar v. Koepke* - attorney discipline

*In re Fla R Civ P* - amended rules

*In re Fla R Crim P* - amended rules

## First District Court of Appeal - Tallahassee

*Craven v. State* - jury selection

*Richardson v. RV Park Mgmt* - employment, FCRA, limitations

*Baxter v. Bryan* - Appellate affirmance

*Casen v. State* - certiorari, timeliness

*Daniels v. Kelley* - appellate jurisdiction, finality

*Stephens v. Godwin* - mandamus, duty to rule

*Jenkins v. State* - belated appeal

*Shakespeare v. State* - appellate jurisdiction, finality

*Bryan v. State* - ineffective assistance, appellate counsel

## Second District Court of Appeal - Lakeland

*Morris v. State* - sentencing

*Am Coastal v. Ironwood* - insurance, appraisal

*Jacobs v. State* - postconviction relief

*MMW v. DCF* - dependency

## Third District Court of Appeal - Miami

*College Health v. Depau* - default, vacatur

*Asgard Fund v. MM80 Oceanside* - foreclosure, instrument, amendments

*Pardes v. Pardes* - equitable distribution

*Citizens v. Casanas* - insurance, attorney's fees, costs

*Callari v. Winkeljohn* - punitive damages, *Binger*, expert disclosures

*Wheelock v. Betzold* - guardianship, fees

*Reyes v. Cosculluela* - § 57.105, property, nuisance

*Babun v. Stok Kon + Braverman* - trust, interim fees

*Morburger v. Yellow Funding* - foreclosure

*Miami v. Miami-Dade* - mandamus, ch 164, abatement

*Moss & Assoc v. Lapin* - certiorari, punitive damages

*Casanova v. State* - certiorari, Stand Your Ground

## Fourth District Court of Appeal - West Palm Beach

*Da Silva v. State* - mandamus, court reporter

*Marcellus v. Peterson* - dissolution, attorney's fees, amount

*State v. Guerra* - sentencing

*Garcia v. AHCA* - Medicaid provider, disqualification, agency discretion

*Isola Bella v. Clement* - settlement, attorney's fees, prevailing party

*Damask v. Ryabchenko* - paternity, child support

*State Farm v. Hollywood Diagnostics* - summary judgment, conclusory affidavit

*Comprehensive Spine v. Equity Ins* - due process, *sua sponte* dismissal

*State v. Dhaiti* - withholding adjudication, lenity

## Fifth District Court of Appeal - Daytona Beach

*Demoura v. Travelers* - publish, deposition, opposing party

*Loancare v. Chestnut* - foreclosure, sua sponte dismissal, unpled defenses

*Charles v. Williams* - paternity, appellate jurisdiction, timely appeal

*McEver v. McEver* - conceded error; magistrate report and recommendation

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