

# 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

## Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.