

# Florida Appeals Court Decisions: Week of September 20 - 24, 2021

September 25, 2021

## U.S. Eleventh Circuit Court of Appeals

*McLaurin v. Terminix* - arbitration

*Pelaez v. GEICO* - bad faith insurance

*Sosa v. Martin Cty, Fla* - 1983, detention, dissent

*DeJesus v. Lewis* - 8th Amend., sexual assault

*Beach Blitz v. Miami Beach* - attorney fees

*Viverette v. Soc Sec C'mr* - SSI benefits

*Smith v. Dozier* - RLUIPA

*Cutuli v. Elie* - bankruptcy

## Florida Supreme Court - Tallahassee

*State v. McKenzie* - sentencing, sexual predators, statutory interpretation

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

## First District Court of Appeal - Tallahassee

*FYJ v. DCF* - lack of transcript

*Fannin v. Hunter* - dog damage, directed verdict

*Robinson v. State* - possession

*Harris v. State* - plea withdrawal, sentencing

*Wright v. State* - judicial records, access

*Global Lab Partners v. Patroni Enters* - attorney disqualification

*Kramer v. State* - sentencing

*Files v. Hayes* - domestic violence injunction

*Kimble v. State* - sentencing

*Jennings v. Fredes* - cross-examination; timesharing, child support

*Johnson v. State* - law of case

*Hagins v. Inch* - prisoner discipline challenge, timing

*Rich v. State* - postconviction relief

*JEA v. First Coast Reg Util* - prohibition, regulatory jurisdiction

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

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

*McNeil v. State* - prohibition

## Second District Court of Appeal - Lakeland

*Carrion v. State* - sentencing, preservation of error

## Third District Court of Appeal - Miami

*Arce v. State* - postconviction relief

*Ofer v. Bernstein* - dismissal, sanction

*Philip Morris v. Principe* - repose, fraud

*Pernas v. General Impact* - dismissal, prosecution, notice

*Rodriguez v. Bank of NY Mellon* - eviction, stay

## Fourth District Court of Appeal - West Palm Beach

*Cano v. Judet* - construction contract; damages

*State v. Delprete* - s. 817.234, insurance fraud

## Fifth District Court of Appeal - Daytona Beach

*Arnold v. Arnold* - declaratory decree, trial jurisdiction

*Heisel v. City of Deltona* - simulated gambling, cease and desist

*Griffis v. Bridle Oaks* - injunctive relief, property

*Ge v. Swearingen* - HOA lien, foreclosure sale

*Lifestream v. Allerton* - certiorari; general negligence, med mal

*Robles v. Castellanos* - lack of transcript

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

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