

Florida Appeals Court Decisions: Week of September 27 - October 1, 2021

October 02, 2021

U.S. Eleventh Circuit Court of Appeals

Catalyst Pharma v. Becerra - Orphan Drug Act, statutory interpretation

Gelber v. AKAL Sec - FLSA, meal periods

USA v. Perry - expert testimony, sentencing

Somers v. USA - Armed Career Crim Act, Fla Sup Ct certified questions

Leake v. Drinkard - First Amendment, speech, parade

USA v. Tinker - prisoner, Covid-19, compassionate release

Colon v. Twitter - Pulse nightclub, Anti-Terrorism Act claims

Smith v. USA - FTCA, USPS liability, mailbox

Florida Supreme Court - Tallahassee

West Palm v. Haver - injunction, zoning ordinance

First District Court of Appeal - Tallahassee

Trappman v. State - double jeopardy, certified conflict

Robinson v. RJ Reynolds - conditional cross-appeal dismissed

Garcia v. State - *Richardson* hearing, response to jury question

Turner v. Gamiz - personal injury, aggravation instruction

Lauwereins v. State - evidence, cross-examination

Washington v. State - sexual battery instruction

ABM v. Valencia - workers' compensation

Farrior v. DOC - habeas corpus

Griner v. Inch - postconviction relief

Hanks v. State - sentencing
Berg v. State - probation revocation
Tuten v. State - postconviction relief
Liffick v. State - postconviction relief
Knight v. State - pro se sanctions
Wims v. State - habeas corpus

Second District Court of Appeal - Lakeland

Dibelka v. State - criminal costs
State Farm v. Gonzalez - insurance, fungus
Honahan v. Burgeson - settlement agreement, enforcement
Lonsdale v. Elbanna - timesharing
Fesh v. State - *Williams* rule evidence
Friedel v. Edwards - pleading, relation back
Brinkmann v. Petro Welt Trading - certiorari, privilege
Hanna v. State - postconviction relief
Foster v. Radulovich - certiorari, attorney substitution
Hall v. State - direct criminal contempt
Sims v. Wells - habeas corpus

Third District Court of Appeal - Miami

Rincon v. Pena - commercial property, division
Cabre v. Carrington - strike pleading, default
Kiss Leads v. Gold - summary judgment
Garcia v. Citizens - summary judgment
Jackson v. State - postconviction relief
BREA v. Hagshama - arbitration
Carus v. VRMTG - foreclosure
Union Restoration v. Citizens - summary judgment, assignment
Associated Energy Grp v. Costa - summary judgment, two dismissal rule
Irizarry v. State - postconviction relief
Hodges v. State - prohibition, judicial disqualification, pretrial detention

Fourth District Court of Appeal - West Palm Beach

School Brd Palm Beach Cty v. Edwards - negligence, duty
State Farm v. Nob Hill - *Daubert*, expert exclusion, sanction

RS v. DCF - parental rights, termination

Fifth District Court of Appeal - Daytona Beach

Gupta v. Gupta - dissolution, marital home, alimony, child support

Grant v. State - postconviction relief

Delgado v. Ortiz - domestic violence injunction

Little Brownie v. Wood - garnishment, dissolving writ, notice

McCullough v. State - postconviction relief

Maltese v. State - postconviction relief

Williams v. State - *Spencer* bar, pro se

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