

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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