

# Florida Appeals Court Decisions: Week of September 6 - 10, 2021

September 11, 2021

## U.S. Eleventh Circuit Court of Appeals

*Tillis v. Brown* - excessive force, dissent

*Farah v. US AG* - removal, dissent

*Talamantes-Enriquez v. US AG* - removal

## Florida Supreme Court - Tallahassee

*Alcegaire v. State* - capital case, direct appeal

*CCM CA v. Petri Positive Pest* - § 768.79, settlement proposals

*In re Fla R Juv P* - amended form

*In re R Reg Fla Bar* - amended rule, ads

## First District Court of Appeal - Tallahassee

*Hall v. State* - entrapment

*State v. King* - postconviction relief

*Comm'y Power Net v. JEA* - solar power, credits, challenge, standing

## Second District Court of Appeal - Lakeland

*Omega Title v. Butschky* - certiorari, punitive damages

*Fla Citz Alliance v. Collier Sch Bd* - public schools, textbooks, challenge, Sunshine Law

*Custom Design v. Synergy Rents* - breach of contract, open account

*Naples Estates v. Muston* - rent, waiver, estoppel

*Advanta IRA v. FTE* - summary judgment, standard, residential sale proceeds

## Third District Court of Appeal - Miami

*De Los Angeles v. Winn-Dixie* - slip and fall, summary judgment

*Alvarez v. Acosta* - new trial, motorcycle crash

*TSG Delaware v. Dictan* - personal jurisdiction

*Star Casualty v. Gables* - settlement agrmt, latent ambiguity

*Garcia v. Ins Exchange of Am* - arbitration waiver

*Elo v. Liberty Leasing* - confession of error, due process

*G4S Secure v. N.L.* - certiorari, lack of jurisdiction

*Mitchell v. State* - postconviction relief

## Fourth District Court of Appeal - West Palm Beach

*Rhiner v. Koyama* - med malpractice, pre-suit

*Parrish v. State* - kidnapping, *Faison* analysis

*Boyles v. Jimenez* - probate, removal of trustee

*Kocik v. Rodriguez* - additur, pain and suffering

*Ruckdeschel v. People's Trust Ins* - specific performance

*Torres v. Bank of NY* - foreclosure; attorney's fees

## Fifth District Court of Appeal - Daytona Beach

*Simpson v. State* - investigative costs, sentencing error

*Ager v. Berger* - modification, foreign paternity judgment

*RJ Reynolds v. Frost* - venue, transfer

*Hands On Chiro v. GEICO* - certiorari, PIP reimbursement

*Shant Wellness v. GEICO* - certiorari, PIP reimbursement

*Health Plus Chiro v. GEICO* - certiorari, PIP reimbursement

*Express Care v. GEICO* - certiorari, PIP reimbursement

*Preziosi v. GEICO* - certiorari, PIP reimbursement

*Velocity v. GEICO* - certiorari, PIP reimbursement

*Hands On Chiro v. GEICO* - certiorari, PIP reimbursement

*Preziosi v. GEICO* - certiorari, PIP reimbursement

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*Rose Healthcare v. GEICO* - certiorari, PIP reimbursement

*Preziosi v. GEICO* - certiorari, PIP reimbursement

*Ashley Park v. GEICO* - certiorari, PIP reimbursement

*Rumley v. GEICO* - certiorari, PIP reimbursement

*Keen v. Jennings* - certiorari, punitive damages, amendment

*Katwaroo v. State*- postconviction relief

*Walker v. State* - sentence, concession of error

*Martinez v. State* - sentence

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