

Florida Appeals Court Decisions: Week of April 18 - 22, 2022

April 23, 2022

U.S. Eleventh Circuit Court of Appeals

Heyman v. Cooper - land use

Gulfstream Aerospace v. Oceltip Aviation - arbitration

US v. Smith - First Step Act

US v. Stowers - wiretaps, concurrence

US v. Mosely - sentencing

Speech First v. Cartwright - First Amendment, campus harassment, concurrence

Florida Supreme Court - Tallahassee

Boyle v. Samotin - medical negligence, tolling, presuit notice

First District Court of Appeal - Tallahassee

Cohen v. Autumn Village - Assisted Living Facilities Act, scope

State v. Mackendrick - postconviction relief

Philip Morris v. Manning - concurrence, venue, transfer

Briggs v. Briggs - marital dissolution

Astaphan v. DOH - medical license, emergency restriction

Second District Court of Appeal - Lakeland

RJ Reynolds v. Jones - *Engle*, punitive damages

Massey v. Edison Ins - insurance, assignment of benefits, standing

Cintron v. State - theft, fair market value, jury instructions

Century-Nat'l Ins v. Regions All Care - insurance, PIP, overdue claim

Jones v. McKinney - probate, claims priority

Welch v. State - postconviction relief

Crawford v. Grubb - eviction, default judgment, premature

Hornsleuth v. McCloud - mandamus, CDC eviction moratorium, stay

Nasmin Enter v. Carliszle/Wilson - appellate jurisdiction

Kalogianis v. State - postconviction relief

Heritage v. Fairway - insurance, appraisal, supplemental claim

Third District Court of Appeal - Miami

Ordway v. Karibu Props - inter vivos transfer, donative intent

Unifirst v. Stronger Collision - ex parte arbitration

Levy v. Donnefeld - martial dissolution, time-sharing

Homestead v. USA - prohibition, Harris Act, quasi-legislative act

Parkhomchuk v. AIY - appellate jurisdiction, rendition, rule 1.540

Univ P&C v. Dimanche - default judgment, setting aside

Aersale v. Total Air Serv - statutory fuel lien

SA v. DCF - parental rights, termination

U of Miami v. Jones - medical malpractice, presuit requirements

Fourth District Court of Appeal - West Palm Beach

Montgomery v. State - peremptory challenge, reduce charge

Greenberg v. Bekins - discovery, damages

Garcia v. Soto - stalking, pattern of harassment

Porsche v. Copans Motors - franchise modification

Total Care v. Citizens - notice, assignment, insurance benefits

Cross v. State - warrantless search

Hollywood v. Haynie - *sua sponte* dismissal

Martin Memorial v. Gorham - certiorari, pre-suit requirements

Marcelus v. Aqua Finance - default judgment

Fifth District Court of Appeal - Daytona Beach

Graham v. Graham - alimony, child support, income calculation

Scaggs v. State - *Anders*, cost

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