

# Florida Appeals Court Decisions: Week of August 15 - 19, 2022

August 19, 2022

## U.S. Eleventh Circuit Court of Appeals

*Alvarado-Linares v. US* - crimes of violence, concurrence

*Dragomirescu v. US Att'y Gen* - removal

*FDIC v. Lloyd's of London* - prejudgment interest, Ga. law

*Henry v. Ala AG* - grand jury secrecy, First Amendment

*Ochoa v. US* - right to conflict-free counsel

*Sarma v. IRS Comm'r* - tax avoidance

*SEC v. LME 2017 Family Trust* - appellate jurisdiction, receivership

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*Araguel v. Bryan* - guardianship, expenses, IRA accounts

*McGowan v. McGowan* - equitable distribution, alimony

*Steve Brinson Irrigation v. Kramer* - fees, costs, construction lien

*JH v. State - Miranda*; probation, length

*White v. State* - community control, revocation

*Tiburcio v. Hillsborough Sheriff* - workers' compensation

*Mitchum v. State* - witness, impeachment, memory loss

*Martin v. Martin* - marital settlement agreement, military disability

*Lynch v. State* - pro se sanctions

*LeClerc v. State* - appellate jurisdiction, interlocutory orders

*Franklin v. State* - mandamus, clear legal right

*Sampson v. Group 1* - appellate jurisdiction, partial judgment on pleadings

*Cruz v. State* - mandamus, mootness

*In re Doe* - abortion, consent, judicial bypass

## Second District Court of Appeal - Lakeland

*Fatigato v. APD* - disability benefits

*Hernandez v. State* - sex offender, failure to register

*Urbaniak v. State* - probation revocation

*Riggins v. State* - certiorari, Stand Your Ground

*Collier Clerk v. Hernandez* - bail bond remission

*Griffin v. State* - postconviction relief, counsel's unsworn statements

*Sullivan v. State* - appellate jurisdiction, postconviction order

## Third District Court of Appeal - Miami

*Annesser v. Innovative Serv* - dismissal, costs entitlement

*D-I Davit v. Carpio* - personal jurisdiction

*1906 Collins v. Romero* - arbitration

*Scott v. State* - postconviction relief

*Marine Design v. All City Constr* - commercial contract, breach, damages

*Miami 37 v. Lloyd's London* - insurance, appraisal post-mediation

*United Auto v. Chiro Clinics* - insurance, PIP benefits

*Bravo v. CJM Partners* - failure to prosecute

*Collins CA v. Riveiro* - prevailing party fees, voluntary dismissal

*United Auto v. Millennium Rad* - insurance, collateral estoppel

*Varona v. Univ P&C* - rule 1.540

*Collins v. Bates* - personal jurisdiction

*Chatani v. Blaze* - paternity, trial court jurisdiction

*Gonzalez-Marham v. State* - appellate jurisdiction, sentencing

*MS v. GAL Program* - certiorari, post-trial deposition, recanting witness

## Fourth District Court of Appeal - West Palm Beach

*Maxwell v. Edwards* - settlement agreement, approval

*Shakhova v. Pugachov* - domestication of judgment

*Dental Law Firm v. People's Choice* - 57.105 sanctions

*SI v. State* - clarification, delinquent

*Mandelko v. Lopresti* - enforce judgment, jurisdiction

*Liberty Mutual v. Pan Am Diagnostic* - attorney's fees, statutory interest

*Inman v. Inman* - equitable distribution, income

*State v. Tillman* - continuing incompetency

*Physicians Care v. PNC* - garnishment

# Fifth District Court of Appeal - Daytona Beach

*Sigma Funding v. Sec First Ins* - insurance, assignment, advance funding

*American Platinum v. Swank* - special concurrence, attorney behavior

*Germain v. State* - postconviction relief

*Dubuc v. State* - Anders appeal, clerical errors

*Dennehy v. Srinagesh* - medical malpractice, dismissal, prejudice

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

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

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