

Florida Appeals Court Decisions: Week of August 8 - 12, 2022

August 12, 2022

U.S. Eleventh Circuit Court of Appeals

AFC Franchising v. Purugganan - forum selection clause, concurrence

Cabrera LLC v. Teck Resources - Helms-Burton, personal jurisdiction

Diaz v. Sec'y Homeland Sec - naturalization

K.Y. v. US Att'y Gen - removal, immigration

MSPA Claims 1 v. Tower Hill Prime Ins - limitations

Stewart v. Hartford Life & Accident Ins Co - disability benefits

Victor Elias Photography v. Ice Portal - copyright

US v. Pate - false liens, dissent

US v. Witt - new trial, sentencing

Florida Supreme Court - Tallahassee

No decisions this week

First District Court of Appeal - Tallahassee

DOC v. Gould - certification denial, en banc

Reynolds v. State - murder, evidence, graphic photos, closing argument

Chang v. Local 1403 - appellate jurisdiction, administrative, fees without amount

Woodward v. State - probation revocation

AW v. DCF - dependency

Gradia v. Baptist Hosp - hospital, physician, agent

Girardin v. AN Ft Myers - workers' compensation

Adams v. Dixon - mandamus, duty to rule

Holland Ware Found v. Tamez Pine Straw - temporary injunction, evidence

Rivers v. State - sentencing

Second District Court of Appeal - Lakeland

Decola v. State - postconviction relief

Third District Court of Appeal - Miami

Hess v. PMG-S2 - summary judgment, amending pleadings

1st Med & Rehab v. Allstate - PIP, summary judgment, no affidavit

Sunshine Rehab v. Allstate - PIP, summary judgment, affidavit

Shir Law Grp v. Carnevale - sanction, due process

Karan v. Pernia - rule 1.540, excusable neglect

United Auto v. Best Am Diagnostic - collateral estoppel

Loginov v. Samoilova - Russian divorce, community debt, lien

Lopez v. Miami-Dade - ordinance violation, no duty

Vericker v. Powell - certiorari, anti-SLAPP, certified conflict

Cini v. Cabezas - prohibition, judicial disqualification, fundraising

Alvarez v. State - sentencing, trial court jurisdiction pending appeal

Alvarez v. DOH - administrative, emergency rule, butt lifts

Fourth District Court of Appeal - West Palm Beach

Philip Morris v. Gore - rehearing denial, dissent, attorney's fees

Walk v. State - sentencing

Hanopole v. State Farm - PIP, assignment of benefits, rule 1.130

Ivory v. State - sentencing, costs

Mold Buster v. Citizens - insurance, assignment of benefits

Copeland v. State - sentencing, costs

Gromann v. Avatar - summary judgment, affidavit, personal knowledge

Francois v. State - rehearing, probation conditions

Comisar v. Heritage - insurance, declaratory relief, dismiss

Perez v. Citizens - insurance, duty to notify, summary judgment

Compounding Docs v. SCSC Enter - dissent, temporary injunction, bond amount

Mech v. Brazilian Waxing - rule 1.510(a), small claims, reasons for ruling

Fifth District Court of Appeal - Daytona Beach

Batta v. State - felony battery, violent career criminal, sentence

At Home Auto v. Mendota Ins - venue, forum non conveniens

Payet v. State - *Anders* appeal, sentence

Wright v. State - postconviction relief

Walker v. State - jail credit

McMasters v. State - *Anders* appeal, corrected judgment

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

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