

Florida Appeals Court Decisions: Week of February 14 - 18, 2022

February 19, 2022

U.S. Eleventh Circuit Court of Appeals

US v. Williams - sentence reduction, First Step Act

MidAmerica C2L v. Siemens Energy - expert testimony, leave to amend, new trial

US v. Dennis - notice, revocation of probation

US v. Campbell - en banc, search and seizure, good faith, issue waiver or forfeiture

Pincus v. American Traffic Solutions - unjust enrichment

Parks v. BitConnect Int'l PLC - securities, solicitation

US v. Dupree - en banc poll, vacating *this* unpublished opinion

Del Castillo v. Sec FDOH - First Amendment, nutrition licensing

Florida Supreme Court - Tallahassee

Fla Bar v. Schwartz - attorney discipline

In re R Reg Fla Bar - unlicensed attorney, remote work from Fla

First District Court of Appeal - Tallahassee

Berrane v. State - self-defense, deadly force instruction, reputation

Vickery v. Pensacola - injunction, tree removal, historic tree

Silberberg v. Palm Bch Sch Bd - workers' compensation

Daniels v. Riggien - First Amendment, qualified immunity

Demichael v. DMS - retirement benefits, capacity, spousal acknowledgment

First Call 24/7 v. Citizens - insurance appraisal

State v. Kahl - sentencing

Running Cars v. Miller - arbitration, waiver

State v. KF - search and seizure

Terra Mar Prop Mgmt v. Wilmington Sav Fund Soc - foreclosure, limitations

White v. State - postconviction relief

Carroll v. Dixon - postconviction relief

Orndorff v. State - ineffective assistance, appellate counsel

Forrester v. State - ineffective assistance, appellate counsel

PR v. DCF - parental rights, termination

Second District Court of Appeal - Lakeland

Stallings v. Bernard - stalking injunction

Cossio v. Marceno - habeas corpus, no-contact orders

Seiracki v. State - resisting officer without violence

Tampa Park v. Andrews - certiorari, nonparty financial information

Third District Court of Appeal - Miami

Aledda v. State - evidence, witness training

Arbelaez v. Ortiz - service of process

Miami Lakes v. Miami-Dade - road transfer, contract breach

Calafell v. State - postconviction relief

Ferguson v. Trinidad & Tabago - certiorari, corporate representative

Am Mobile Health v. State Farm - PIP, reasonable amount

United Auto v. Millennium Radiology - PIP, collateral estoppel

Selman v. Progressive - settlement enforcement, postjudgment jurisdiction

8425 Biscayne v. Pinnacle Towers - real property, restrictive easement

Harris v. HGA-Land - Applegate affirmance

United Auto v. Millennium Radiology - PIP, collateral estoppel

Marsh v. Gallagher Risk Mgmt - administrative challenge, waiver

State v. Gutierrez - probation violation

Ridard v. Massa Inv Grp - arbitration

El Mallakh v. Belgium Inv - default judgment, vacatur

Melkonian v. Code Enforce - lack of prosecution

Innova Inv v. Rolle - pleadings, leave to amend

LK Hotel v. 1512 One Co - appellate jurisdiction

Curry v. State - postconviction relief

Belmondo v. Amisal - temporary injunction, defamation, prior restraint

Hodge v. Babcock - certiorari, child pickup order

[*Arslanian v. Junior*](#) - habeas corpus

Fourth District Court of Appeal - West Palm Beach

[*Tower Hill v. Kushch*](#) - proposal for settlement, ambiguity

[*Geovera v. Glasser*](#) - insurance, water damage

[*McRoberts v. State*](#) - self-incrimination, cell phone PIN

[*DHBH Atlantic v. Delray Beach*](#) - Bert J. Harris Act, pre-requisites

[*Silvas v. Silvas*](#) - marital dissolution, constructive trust

[*Chatten v. Chatten*](#) - marital dissolution, nonmarital property

[*JG Contracting v. Tower Innov*](#) - default judgment, personal jurisdiction

[*Garson v. State*](#) - *Spencer* sanctions

[*Paris v. State*](#) - sentencing, supervision cost

[*Projekt Prop Resto v. Citizens*](#) - insurance, water leak, experts

[*Belanger v. Belanger*](#) - marital dissolution, continuance

[*Sandoval v. State*](#) - probation order, jurisdiction

[*State v. Fox*](#) - preservation of error

[*Briggs v. State*](#) - withdrawal of plea, sentencing

Fifth District Court of Appeal - Daytona Beach

[*Santiago v. Wilmington Trust*](#) - constructive service, default, foreclosure

[*Security First Ins v. Vazquez*](#) - insurance, limitation of liability

[*Rivas v. State*](#) - battery, mistrial, comment on right to remain silent

[*McKnight v. State*](#) - subpoena, medical evidence, relevance

[*Sesler v. State*](#) - *Spencer* warning, pro se

[*Kitchen v. State*](#) - sentence

[*Kelly v. State*](#) - sentence, lack of remorse

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