

# Florida Appeals Court Decisions: Week of February 28 - March 4, 2022

March 05, 2022

## U.S. Eleventh Circuit Court of Appeals

*Newbauer v. Carnival Corp* - pleading, notice of risk, maritime law

*Reiterman v. Abid* - arbitration

*Glynn Envtl Coalition v. Sea Island Acquisition* - standing, injury in fact

*Jenkins v. Nell* - race discrimination, convincing mosaic test

*Warrior Met Coal Mining v. United Mine Workers* - arbitration

## Florida Supreme Court - Tallahassee

*In re R Reg Fla Bar* - amended bar rules

*In re Apportionment* - legislative redistricting

## First District Court of Appeal - Tallahassee

*Brown v. Gulf Breeze* - tax exemption

*Alcon v. Collins* - domestic violence injunction, standing

*Spradley v. Citizens* - insurance, duty to defend

*Sanders v. Chaplin* - guardianship, fees, certified conflict

*Yacht & Racquet Club v. OIR* - administrative appeal, standing

*Huddleston v. Chaney St Place* - eviction challenge

*Crum v. FWCC* - rule challenge

*Mr Comfort v. DOR* - administrative challenge, evidentiary hearing

*Gosch v. State* - pro se sanctions

*CH v. DCF* - failure to prosecute appeal

## Second District Court of Appeal - Lakeland

*Williams v. Fernandez* - settlement proposal, excusable neglect

*TA v. AS* - paternity

*Reyes v. Gonzalez* - opinion withdrawn, settlement

*Progressive Select v. Kagan Jagan* - settlement proposal, good faith

## Third District Court of Appeal - Miami

*Hernandez v. CGI Windows* - evidence, unsworn pleadings

*ARP Acquisitions v. PHH Mort* - foreclosure, reconsideration, jurisdiction

*Impex Caribe v. Carl Levin PA* - fees, multiplier

*State v. Moore* - Stand Your Ground

*Scheckler v. Monroe Cnty* - second-tier certiorari, voluntary payment, mootness

*Shavarshyan v. Heavenly Spirits* - standard of review, bench trial

*Damas v. Rappleye* - pro se continuance motion, marital dissolution trial

*Miami Beach v. Clevelander* - temporary injunction, noise limits, estoppel

*Spivy v. State* - sentencing

*Nemani v. Sachmechi* - fees, lack of transcript, *Applegate* affirmance

*IT v. DCF* - parental rights, termination

*Pace v. State* - sentencing

*RR v. DCF* - certiorari, dependency, hearsay, negative-implication canon

## Fourth District Court of Appeal - West Palm Beach

*Philip Morris v. Naugle* - attorney's fees, *Daubert*, expert

*Millien v. State* - sentencing

*Tita v. Tita* - probate, LLC devise

*Seith v. Seith* - child support, timesharing

*Blair v. State* - sentencing

*Whyte v. Whyte* - durational alimony

*Guibord v. Chopin* - incapacity, guardian, mootness

*Daniello v. Settle* - child custody, changed circumstances

## Fifth District Court of Appeal - Daytona Beach

*State v. Boyd* - sexual predator designation

*Hipley v. State* - postconviction relief

*Voyles v. Glavin* - probate, jurisdiction; fees, inequitable conduct doctrine

*RS v. CPT* - involuntary substance abuse treatment

*Zimmershead v. State* - postconviction relief

*Hill v. DOR* - lack of transcript

*Universal Prop Ins v. Motie* - insurance policy, material breach, directed verdict

*Grillo v. State* - postconviction relief

*Knight v. Nordmann* - lack of transcript

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

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