

Florida Appeals Court Decisions: Week of February 7 - 11, 2022

February 12, 2022

U.S. Eleventh Circuit Court of Appeals

Washington v. Howard - qualified immunity, Fourth Amendment

Powell v. Snook - qualified immunity, excessive force

Savage Services Corp v. US - Oil Pollution Act, clean-up costs, admiralty law

Florida Supreme Court - Tallahassee

Joseph v. State - capital case, direct appeal

McKenzie v. State - capital case, direct appeal

In re R Bar Admissions - amended rule

In re Fla Fam L R - amended rule

Adv Op re Art III s 20 - Governor's request for advisory opinion denied

First District Court of Appeal - Tallahassee

Amison v. State - double jeopardy

Main St v. G'ship of Faircloth - comparative fault, derivative liability, alcohol defense

State v. Kunkemoeller - sentencing

Palafox v. Diaz - administrative filings, sanctions motion, timing

Palm Bch Sch Dist v. Smith - workers' compensation

Lofton v. Arthur - child custody, timesharing

McCormick v. Employees of Centurion - belated appeal, civil proceedings

Second District Court of Appeal - Lakeland

Douglas v. State - probation violation

Hartshorn v. State - sentencing
IT v. KPL - adoption, vacating
Am Coastal v. S Bay Plantation CA - insurance appraisal
Balm Rd Inv v. Hills Cnty Cmmr's -
Coast Pump v. Mathis - personal jurisdiction, waiver
Rohret v. Zucco - second-tier certiorari, land use, development

Third District Court of Appeal - Miami

State v. Jones - sentencing
Toledano v. Garcia - general magistrate, unrefereed issue
Ramos v. Halpern - fees and costs, reversed per related reversal
Boulos v. Rubio - children's best interests
BPI Sports v. Fla Supp - contract dispute
Giller v. Giller - temporary injunction, failure to plead
Lawrence v. Hazel Bartelds Trust - confidential relationship, abuse
Dickson v. Curtis - domestic violence injunction
Kiger v. Kiger - marital settlement agreement
de Oliveira v. Sim - service of process
Kravitz & Guerra v. Brannon - temporary injunction
JD v. DCF - parental rights, termination
Allied Prop v. Micor - certiorari, discovery, privacy

Fourth District Court of Appeal - West Palm Beach

Alvarez v. Salazar - vexation litigation fee award
March v. DBPR - licensing, continuance
Scheible v. Brown - proximate cause
Schneiderman v. Baer - dissolution, financial fraud
Krickovich v. State - officer immunity, prohibition
Boca Raton CRA v. Crocker Downtown Dev - fair market value
ABA Interior v. The Owen Grp - licensing, scope of work
Lifaite v. Charles - dissolution, equitable distribution

Fifth District Court of Appeal - Daytona Beach

Dennison v. Halifax Staffing - Private White-blower's Act; private employer, definition

State Farm v. DNA Center - confession of error

Outrigger Beach Club v. Bluegreen Vacations - per curiam affirmance, dissent; Condominium Act

Cottingham Road v. 1662 Multifamily - fraud, pleading, particularity, dismissal

Code Hunter v. Casa Marisol - contract, clear language; mortgage, future advances, § 697.04

Faulstick v. State - probation, revocation; self-defense

Rai v. Rai - final judgment, enforcement, statute of limitations

Spencer v. Marshall - special concurrence; vacate judgment, jurisdiction

Wall v. State - seizure, inevitable discovery

Mentz v. Nosbisch - lack of transcript

Otero v. State - *Anders* appeal, probation, specific conditions

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

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

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

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