

# Florida Appeals Court Decisions: Week of July 18 - 22, 2022

July 22, 2022

## U.S. Eleventh Circuit Court of Appeals

*Coleman v. Hillsborough Cnty* - sovereign immunity

*Dacostagomez-Aguilar v. US Att'y Gen* - removal

*Jacob v. Mentor Worldwide* - preemption

*Kassa v. Fulton Cnty* - prosecutorial immunity

*MSP Recovery v. Metro Gen Ins Co* - Medicare Secondary Payer Act

*Otto v. City of Boca Raton* - en banc denial, First Amendment, dissent

*Auriga Polymers Inc v. PMCM2 LLC* - bankruptcy, new value defense

*SisterSong v. Gov. State of Ga* - reproductive rights

*Stansell v. Bello* - Rule 60, damages

*Tecnicas v. SSK* - arbitration

## Florida Supreme Court - Tallahassee

No decisions this week

## First District Court of Appeal - Tallahassee

*State v. Planned Parenthood* - abortion, automatic stay, pass-through

*Webster v. Tally Mem'l Healthcare* - limitations, contract

*Swift v. State* - Stand Your Ground

*US Bank v. Qadir* - foreclosure, unclean hands

*Barnett v. Hibiscus HA* - real property, architectural review committee

*Baptiste v. Sunrise Comm'y* - workers' compensation

*Robinson v. State* - mandamus, clear right

*King v. State* - ineffective assistance, appellate counsel

## Second District Court of Appeal - Lakeland

No decisions this week.

## Third District Court of Appeal - Miami

*State v. Woodruff* - postconviction relief

*KM v. State* - juvenile, remote testimony

*Star v. Gables Ins* - PIP coverage, summary judgment, affidavit, defenses

*USAA v. Less Instit* - PIP coverage, exhaustion of benefits

*Farber v. State* - sex offender registration

*Water Restoration Guys v. Citizens* - insurance, failure to comply

*State v. Mayes* - carrying concealed firearm

*Miami Gardens v. N Miami Bch* - water utility, charges, sovereign immunity

*Passariello v. Bank of NY* - foreclosure, conclusory affidavit

*Navarro v. Varela* - arbitration

*Auto Club v. Santee* - appraisal

*Roberts v. Diaz* - timesharing, lack of transcript

*Malek v. Malek* - arbitration

*Becker v. Becker* - service of process

*NexusVC v. Hieg Part* - certiorari, customer lists; prohibition, judicial disqualification

*Horne v. State* - summary affirmance

*Mich Auto Sales v. 14004 NW 19th* - prohibition, postjudgment pleadings amendment

## Fourth District Court of Appeal - West Palm Beach

*Perera v. Genovese* - arbitration, scope of power

*Massey v. Thomas* - dismissal, administrative order

## Fifth District Court of Appeal - Daytona Beach

*USAA v. Mikrogiannakis* - § 627.736(5)(c), PIP invoices

*Harmon Parker v. Santek Mgmt* - judgment, add party

*Kidwell Grp v. Olympus Ins* - § 627.7152, retroactivity

*Baker v. State* - withdraw plea, conflict-free counsel

*Williams v. State* - confession of error, competency hearing

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

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