

Florida Appeals Court Decisions: Week of March 28 - April 1, 2022

April 02, 2022

U.S. Eleventh Circuit Court of Appeals

Southern Coal v. Drummond Coal - contracts, attorney fees, concurrence

Simring v. GreenSky LLC - CAFA removal, local controversy, appellate jurisdiction

Nationwide Mutual v. A.B. - standing, declaratory judgment

Laufer v. Arpan LLC - standing, stigma injury, concurrences

US v. Williams - self-representation, forfeiture

Cho v. Surgery Partners - qui tam, first-to-file bar

Brown v. Nexus Business Solutions - FLSA overtime

O'Laughlin v. Palm Beach Cty - free speech, social media

Florida Supreme Court - Tallahassee

Airbnb v. Doe - arbitration, AAA rules

Thompson v. State - capital case, postconviction relief

First District Court of Appeal - Tallahassee

Mayhugh v. State - sentencing

Stokes v. State - postconviction relief

Golden v. State - scrivener's error

Orthopaedic Inst v. Berk - appellate jurisdiction

Chambers v. State - postconviction relief

Derice v. DeSantis - all writs jurisdiction

Fla Auto Dealers v. Hyundai - administrative hearing, standing

Freeport v. Podraza - certiorari standard

Asphalt v. DOT - stay order, review

PB v. DCF - parental rights, termination

Second District Court of Appeal - Lakeland

Ginsberg-Klemmt v. Lawrence Point CA - real property, quitclaim deed, submerged land

Gloster v. State - probation revocation

Brown v. State - postconviction relief

Beezley v. Deutsche Bank - foreclosure, equitable estoppel

Rivera Chiro v. Rosello - § 57.105

Gualtieri v. Pownall - sovereign immunity

Cooper v. State - postconviction relief

Roberts v. Direct Gen Ins - summary judgment, testimony, business records exception

Patlan v. State - plea, sexual predator, fundamental error

Durbrow v. State - sentencing

Scott v. State - postconviction relief

Third District Court of Appeal - Miami

Recalde v. State - postconviction relief

Ravelo v. Payret - rule 1.540, evidentiary hearing

Citizens v. Delgado - insurance, fees

Orth v. Orth - marital settlement agreement

Sunny Isles v. Gatto - public records, text messages

Perrin v. De Soleil S Bch - settlement agreement

Brickell Travel v. Apogee - default, vacatur

White v. Ascendant - insurance, uninsured motorist

Cardona v. Firstbank PR - foreclosure, default, vacatur

Guenni v. Advance Bus Cap - discovery violation

Fourth District Court of Appeal - West Palm Beach

Ripple v. CBS - wrongful death, consortium, judicial estoppel

Healthcare Underwriters v. Sanford - wrongful death, survivor life expectancy

TEB v. State - delinquency, diminished capacity evidence

People's Trust v. Restoration Genie - insurance, water mitigation, notice, remedy

Rasor v. Rasor - probate, spouse, elective share, timeliness

Chinnock v. Penn-Florida - real estate commission, breach of contract

Gooden v. People's Trust - insurance, bad faith, s. 627.155, civil remedy notice

Klement v. Kofsman - stalking, injunction, res judicata

Rivera v. State - probation, conditions, costs
US Bank v. Grob - foreclosure, HELOC, standing
RD v. DCF - certified question, parental rights
MS v. DCF - certified question, parental rights

Fifth District Court of Appeal - Daytona Beach

Nguyen v. Nguyen - default judgment, counterclaim, county court jurisdiction
LEN-CG South v. Champions Club - condominium association, arbitration
Arrington v. State - *Anders* appeal, scrivener's error
Turay v. McCray - measure of damages, reversal with instructions
Brooks v. Basdeo - domestic violence injunction
Jackson v. State - habeas corpus
Hoffenden v. State - *Spencer* warning, pro se
Trainor v. BULU2 LLC - default judgment; quiet title, fees
Standard Fire Ins v. Colonial Med Ctr - certiorari; discovery, billing manager

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