

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

March 12, 2022

## U.S. Eleventh Circuit Court of Appeals

*US v. Howard* - unreasonably lenient sentence, sufficiency of evidence

*Ruhlen v. Holiday Haven Homeowners* - class action, remand, appellate jurisdiction

*US v. Republic of Honduras* - en banc poll, vacating *this* qui tam decision

## Florida Supreme Court - Tallahassee

*Sheppard v. State* - capital case, postconviction relief

## First District Court of Appeal - Tallahassee

*LP Graceville v. Odum* - enforce mandate, arbitration

*Mount v. State* - probation revocation

*Robles v. United Auto* - appellate fees, insurance

*Dettle v. State* - postconviction relief, certified question

*Aquino v. American Airlines* - workers' compensation

*Urgent & Primary Care v. Rivas* - certiorari standard

*Smith v. State* - postconviction relief

*Roberts v. State* - postconviction relief

*Freeman v. State* - postconviction relief

*Statham v. State* - appellate jurisdiction, timely filing

## Second District Court of Appeal - Lakeland

*Smitherman v. State* - search and seizure

*Weaver v. State* - probation revocation

*Vintage Motors v. Mac Enter of NC* - FDUTPA, damages, attorney's fees

*Medina v. State* - community control revocation

*SHM Cape Harbour v. Realmark Meta* - reciprocal easements

*Philip Morris v. Duignan* - *Engle* progeny, reliance, certified conflict

*Morrow v. State* - jail credit

## Third District Court of Appeal - Miami

*Monroe Cnty v. Ashbritt* - sovereign immunity, contract

*Alcalde v. Alcalde* - child support

*Sahmoud v. Marwan* - certiorari, discovery

*Wimblery v. State* - postconviction relief

*United Auto v. Coastal Radiology* - attorney's fees, prejudgment interest

*United Auto v. Millennium Radiology* - PIP, collateral estoppel

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*Garcia v. Milport Investors* - assault, evidence

*Akerman v. MSP Recovery* - attorney disqualification, standing

*Sakowitz v. Waterside Townhomes* - settlement agreement, formation

*Nelson v. State* - certiorari, discovery

*Hannan v. Doyle* - res judicata, judicial notice

*West Bay Plaza CA v. Sika* - forum selection clause

*Shader v. ABS Healthcare* - certiorari, disclosure, pending arbitration

## Fourth District Court of Appeal - West Palm Beach

*Hernandez v. Hernandez* - relocation, unrequested relief

*Quintana v. PTIC* - accord and satisfaction, motion to dismiss

*Bowman v. State* - probation condition, warrantless search

*Schneider v. First Am. Bank* - deficiency judgment, notice

*Langsetmo v. Metza* - statutory interest

*Bentrim v. Bentrim* - dissolution, contempt

*Hallandale Pl v. New Trop Car Wash* - eviction, due process, rent

*PTIC v. First Call* - insurance, preferred contractor

*Ulizio v. MMMG* - tribal sovereign immunity

*Herff v. Weston Props* - substituted service, business activity

*Fletcher v. McCulloch* - paternity, hearing

*Brown v. State* - certification, virtual attendance

*Penna v. State* - certification, *Miranda*

# Fifth District Court of Appeal - Daytona Beach

*Kenyon v. Kenyon* - alimony, modification

*Yaeger v. Wyndham Vacation* - timeshare, fiduciary duty, § 721.13(2)(a)

*Brouwer v. Wyndham Vacation* - timeshare, fiduciary duty, § 721.13(2)(a)

*Kohl's Dept Store v. Young* - certiorari; amendment, punitive damages

*Swift v. State* - postconviction relief

*Park v. Park* - due process, hearing notice

*Acosta v. State* - *Anders* appeal, cost

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