

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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