

Florida Appeals Court Decisions: Week of April 24 - 28, 2023

April 29, 2023

U.S. Eleventh Circuit Court of Appeals

League Women Voters v. Fla Sec of State - election law, constitutional challenges

Barwick v. Fla Gov - capital case, § 1983, state clemency

Thompson v. Ala Sec of State - election law, constitutional challenges

Somers v. USA - habeas corpus

TocMail v. Microsoft - Lanham Act, advertising

Florida Supreme Court - Tallahassee

In re Fla R Civ P 1.530 - amended rule

In re Fla R Traffic Ct - amended rules

First District Court of Appeal - Tallahassee

KH v. DCF - parental rights appeal, failure to prosecute

JLE v. DCF - parental rights appeal, failure to prosecute

DL v. DCF - parental rights appeal, failure to prosecute

AH v. DCF - parental rights appeal, failure to prosecute

Second District Court of Appeal - St. Petersburg

Eckerd Kids v. Devereux - foster care services, indemnification agreement

Benoit v. Hoffman - habeas corpus

Third District Court of Appeal - Miami

Garcia v. State - certified question, remand, sufficiency of evidence, preservation

Holguin v. Godin I - estate administration, will

Viera v. Viera - marriage dissolution, disqualification, contempt

Holguin v. Godin II - forum non conveniens

Pickett v. State - postconviction relief

Swain v. State - probation violation, dangerousness findings, preservation

MVP Plumbing v. Citizens - dismissal, assignment of benefits, estimate

Carnevale v. Rogenia Trading - prohibition, disqualification

MYI Int'l v. Blue Ocean Mia - certiorari, overbroad discovery

Seme v. State - rehearing, sentence

Vanegas v. State - habeas corpus, interference with custody

Fourth District Court of Appeal - West Palm Beach

Patient Depot v. Acadia - trade secret, summary judgment

Progressive v. Frazier - en banc, PIP, imaging, reimbursement rate

Heine v. FAU - COVID-19, state university, contract, sovereign immunity

State v. Blocker - *Miranda*, custodial arrest, accident report privilege

Ali v. State - postconviction relief

Fifth District Court of Appeal - Daytona Beach

Woodberry v. State - certified question, *Miranda* rights

Hudkins v. Hudkins - plenary guardian, incapacity

Fla Farm Bureau Gen Ins v. Worrell - insurance, remediation

Colon v. State - *Anders* appeal, costs

Mooningham v. Mooningham - parenting plan

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

Kazi v. State - *Anders* appeal, post-appeal activity, strike

Dungey v. State - ineffective assistance, trial

Fucci v. State - certiorari, dismissal; six-person jury, murder, minor

Woodrum v. State - concurrence; murder, postconviction relief

Newton v. Wakefield - lack of transcript, inadequate record

Goodwin v. State - habeas corpus

Sixth District Court of Appeal - Lakeland

Ivey v. Ivey - certiorari jurisdiction

Rojas v. State - double jeopardy

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