

Florida Appeals Court Decisions: Week of August 21 - 25, 2023

August 26, 2023

U.S. Eleventh Circuit Court of Appeals

DH Pace v. OGD Equip - Lanham Act, unfair competition, right to sue

Brooks v. Miller - summary judgment standard, dash-cam recording

Eknes-Tucker v. Ala Gov - medical treatment, gender identity, constitutional challenge

Florida Supreme Court - Tallahassee

Tomlinson v. State - extortion, maliciously threatens

In re Fla R Civ P 1.351 - nonparty subpoena rule, new response time

In re Fam L Form 12.915 - amended forms

In re Fam L Forms - more amended forms

First District Court of Appeal - Tallahassee

Lopez v. State - sentencing, appellate jurisdiction

Jones v. State - pro se sanctions

C&S Wholesale v. DBPR - statutory challenge

Horn v. State - mandamus

Second District Court of Appeal - St. Petersburg

Harrington v. Kemp - child support, substantial change

Ethan Tadd Levy v. DOH - license, restrictions, modification, standard

Fision v. Frueh - summary judgment standard, new theory on rehearing motion

Holley v. Erwin-Jenkins - child support

Eger v. 12th Cir Judges - prohibition, standing, injury

Third District Court of Appeal - Miami

Royal Caribbean v. Ooi - forum selection clause, evidentiary hearing

Arocho v. Eight & First - appellate jurisdiction, unauthorized motion

Quiceno v. Bedier - timesharing, parental responsibility

Meyer v. State - postconviction relief

Accident911 v. Direct Gen - intervention, indispensable parties

Reeves v. State - postconviction relief

Vakulovska v. Vakulovskyi - appellate jurisdiction, untimeliness

Fourth District Court of Appeal - West Palm Beach

Daniel's Tree Serv v. Nat'l Core - rehearing; liquidated damages, limited trial

Belkova v. Deer Run - foreclosure, county court, jurisdiction, attorney's fees, bankruptcy

Rosenthal v. Equus Prop - HOA, repairs, conversion, demand, damages

Gibson v. Dwyer - nonfinal order, mootness

Fifth District Court of Appeal - Daytona Beach

Bauerle v. Bauerle - res judicata, attorney's fees

Johnston v. Fischer - certiorari, Anti-SLAPP, conflict

TKH Coastal v. Talcot Group - law of the case, attorney's fees

Sixth District Court of Appeal - Lakeland

Smith v. Healy - default judgment, vacatur, excusable neglect

Newton v. Augustin - parenting plan, time-sharing, modification

Goldstein v. Univ of Cent Fla Bd of Trs - sovereign immunity

McConico v. Morgan's Mill - injunction, adequate remedy at law

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