

Florida Appeals Court Decisions: Week of December 4 - 8, 2023

December 09, 2023

U.S. Eleventh Circuit Court of Appeals

A1A Burrito Works v. Sysco Jax - Poultry Products Inspection Act, preemption

Baldwin v. Express Oil Change - Ga Restrictive Covenants Act, reasonable presumptions

Sweetapple v. Asset Enhancement - bankruptcy, final order, appellate jurisdiction

Florida Supreme Court - Tallahassee

In re Fla R Civ P - amended rules

In re Fla R Crim P - amended rules

In re Fla R Juv P - amended rules

First District Court of Appeal - Tallahassee

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

Rivas v. State - fundamental error, evidence

Daughthrey v. State - sentencing

DAN v. State - sanctions, appellate counsel

Madson v. State - trial court jurisdiction pending appeal

Cruz v. Byrd - appellate jurisdiction, nonfinal dismissal

Leo v. Gregory - appellate jurisdiction, granting summary judgment motion

DDD Constr v. Weseman Develop - warning to counsel, mislabeled emergency filings

Second District Court of Appeal - St. Petersburg

Fla Gulf Coast Ch Builders v. St Pete - new summary judgment standard, reasons required

Stuart v. State - expunction, authority to refund costs, fines, and fees

MDM v. State - hearsay, spontaneous statement

Third District Court of Appeal - Miami

Torres v. SBE Hotel Grp - appellate jurisdiction, nonfinal order

Farmer v. State - competency hearing

Grozdanic v. Alliance RE Holdings - appellate jurisdiction, final order

Fourth District Court of Appeal - West Palm Beach

Kandler v. State - guilty plea, right to appeal

State v. Hubbs - text messages, relevance, bad acts, intertwined

Fifth District Court of Appeal - Daytona Beach

McGlothin v. McDonald - punitive damages, intentional misconduct, gross negligence

Hayden v. State - aggravated battery, preservation, fundamental error

King v. State - criminal, cost order

Gaffney v. State - double jeopardy, § 775.021(4)

Sixth District Court of Appeal - Lakeland

Costello v. Olson - contract construction, arbitration provision

Arena v. State - appellate jurisdiction

Windsor v. Longest - summary disposition

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