

Florida Appeals Court Decisions: Week of February 27 - March 3, 2023

March 03, 2023

U.S. Eleventh Circuit Court of Appeals

Leonard v Ala Bd of Pharmacy - abstention

McAlpin v. Town of Sneads - retaliation

Nealy v Warner Chappel Music - copyright

US v Turner - expert opinion, harmless error, dissent

Florida Supreme Court - Tallahassee

AC v. DCF - pro se sanctions

In re Fam L Forms - new forms

First District Court of Appeal - Tallahassee

Williams v. State - belated appeal

Barrs v. State - mandamus, duty to rule, mootness

Williams v. State - mandamus, duty to rule, mootness

LB v. DCF - parental rights, termination, failure to prosecute

Chaky v. State - mandamus, duty to rule, mootness

Hubbert v. Universal P&C - appellate jurisdiction, nonfinal order

Ortega v. RAAC - appellate jurisdiction, untimely appeal

DH v. DCF - parental rights, termination, failure to prosecute

Second District Court of Appeal - St. Petersburg

Richardson v. State - sentencing

EL v. AL - custody, basis to reject expert opinion

Third District Court of Appeal - Miami

LA v. State - probation, revocation

Team Health Holdings v. Caceres - dismissal, personal jurisdiction, subsidiary

Pierre v. State - consecutive sentences

IET v. Intellocorp I & *IET v. Intellocorp II* - settlement, breach, attorney's fees

Stern v. City of Miami Beach - dismissal, alternative writ of mandamus, public records

Knights v. Citizens - jury instructions, verdict form

Mesa v. Citizens - policy exclusion, hearsay testimony

Certain Underwriters v. Gables Ct CA - post-loss obligations, appraisal, waiver

Curry v. Crescent Bank - scheduling, trial date

Vera v. Diaz Toledo - MSA, offer, acceptance

Robinson v. State - postconviction relief

Westbrook v. State - pro se filings, prohibition

SMO v. DCF - parental rights, termination, evidence

Moore Bode v. Wilmington Savings - lis pendens

Unborn Child v. Reyes - habeas corpus, unborn child, incarceration, inadequate record

Fourth District Court of Appeal - West Palm Beach

Ezer v. Holdack - condo association, § 617.07401, derivative suit

Green v. Rockefeller-Silvia - summary judgment standard

Noa v. State - postconviction relief

Key v. State - postconviction relief

Johnston v. State - resisting arrest, sentencing

Fifth District Court of Appeal - Daytona Beach

Peebles v. Carlton Palms - failure to prosecute, record activity

[HERC Rentals v. Superior Site Srvcs](#) - guaranty, joint liability
[Baker v. Volusia County Sheriff](#) - appellate jurisdiction, rendition
[Strawder v. State](#) - *Spencer* warning, pro se
[Koppe v. State](#) - open plea, sentence
[Simmons v. State](#) - special concurrence; felon, firearm possession
[White v. State](#) - *Spencer* warning, pro se
[Santiago v. Posey](#) - paternity, attorney's fees

Sixth District Court of Appeal - Lakeland

[State v. Andreskewicz](#) - unreasonable seizure
[Raducan v. State](#) - postconviction relief
[Lusby v. Canevari](#) - temporary injunctive relief
[Tuohey v. Garcia](#) - preservation of error

Related Practices

[Appellate & Trial Support](#)

©2024 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.