

# Florida Appeals Court Decisions: Week of January 2 - 6, 2023

January 06, 2023

## U.S. Eleventh Circuit Court of Appeals

*Am Builders Ins v Southern-Owners Ins Co* - insurance bad faith

*Braun v Amer CV Station Grp* - bankruptcy plan modification

*Serendipity at Sea v Lloyd's of London* - insurance, summary judgment

*US v Downs* - child porn

*US v Ruan* - mens rea, Supreme Court remand

## Florida Supreme Court - Tallahassee

*Coates v. RJ Reynolds* - punitive damages, limits, wrongful death

*In re Fla R Juv Pro* - amended rules

## First District Court of Appeal - Tallahassee

*RP v. DCF* - dismissal, failure to prosecute

*Lojares v. Silva* - timesharing

*Schluck v. State* - public defender, conflict, withdrawal

*Richardson v. State* - public defender, conflict, withdrawal

*Whitfield v. State* - public defender, conflict, withdrawal

## Second District Court of Appeal - St. Petersburg

*Washington v. State* - competency

*Funderburk v. Ricenbaw* - timesharing

## Third District Court of Appeal - Miami

*GR OPCO v. Murillo* - arbitration

*State v. Rojas* - sentencing, community control violation

*State Farm v. Best Med Treatments* - insurance, fees

*7 at Blue Lagoon v. Blue Lagoon CA* - real property, easement

*J&R Indus v. Miron* - successor corporate liability

*VMA v. State* - delinquency, remote hearing

*Bulte v. Dollar Tree* - jury selection

*Smith v. Meltzer* - trial court sanctions

*Maiuri v. First Am Title* - default, unliquidated damages

*Sterling Mirror v. Waldman Barnett* - rule 1.540

*Oracle Elev v 8660 Bldg* - trial court sanction, fraud on court

*Jimenez v. Gutierrez* - certiorari, stay writ of possession

*McIntyre v. CIT Bank* - foreclosure sale, objection

*Stroud v. State* - jail credit

*Rodriguez v. Halsall* - prohibition, judicial disqualification

## Fourth District Court of Appeal - West Palm Beach

*Guttenberg v. Smith & Wesson* - declaratory judgment; advisory opinion

*State v. Bender* - DUI, *Miranda*

*FI Capital v. South Fla Title* - default judgment

*Calvary Chapel v. Happ* - wrongful death; arbitration

*Lennar v. Wilkinsky* - arbitration

*Disorbo v. Amer Van Lines* - jury trial, nature of claims; business judgment rule

*Mane FL v. Beckman* - Uniform Fraudulent Transfer Act, summary judgment

*Zarcadoolas v. Tony* - civil forfeiture, search and seizure

*Etienne v. State* - *Richardson* hearing, harmless error

*Ward v. Lieber* - partial dismissal, non-final order, rule 1.525, attorney's fees

*Johnson v. State* - sentencing

*Ramsaran v. State* - sentencing, costs

## Fifth District Court of Appeal - Daytona Beach

*EO Blakely v. Stetson Univ* - wrongful death, release

*Publix v. Alford* - attorney's fee, PFS, ambiguity

*Spaude v. Comm'n on Ethics* - corruption, clear and convincing evidence

*Hamm v. State* - Anders appeal, costs

*DCF v. ST* - certiorari, intervention, dependency

*Jones v. State* - child molestation, competency, written order

*Ramakrishnan v. Ramakrishnan* - dissolution, attorney's fees, reservation of jurisdiction

*DNS Auto Glass v. State Farm* - confession of error

*Wayte v. State* - Anders appeal, costs

*Nunez v. Raona* - temporary modification, fee entitlement, appellate jurisdiction

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

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

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

## Sixth District Court of Appeal - Lakeland

No decisions this week

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