

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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