

# Florida Appeals Court Decisions: Week of January 30 - February 3, 2023

February 03, 2023

## U.S. Eleventh Circuit Court of Appeals

*In re Grand Jury Subpoena* - appellate jurisdiction

*Nance v Ga DOC* - method of execution, Supreme Court remand

*Wells v Warden* - en banc, in forma pauperis rule

*Sabal Trail v. 18.27 Acres* - condemnation, fees, prior precedent rule

## Florida Supreme Court - Tallahassee

*In re Fla Probate R* - amended rules

*In re R Reg Fla Bar* - amended rules

*AC v. DCF* - pro se sanctions

*In re Fla R GP & JA* - amended rule

## First District Court of Appeal - Tallahassee

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

*Martina v. State* - sentencing

*Martina v. State* - more sentencing

*Andrews v. McKim & Creed* - workers' compensation

*Sims v. State* - probation revocation

*Loebig v. Ethics Comm'n* - public employees, agency employer

*Brown v. State* - preservation of error

*Farmer v. State* - public defender, withdrawal

*Lowe v. State* - belated appeal

## Second District Court of Appeal - St. Petersburg

*TR Investor v. Manatee* - wetland buffers, regulatory taking

*Home Perform Alliance v. BBB* - business rating, torts, FDUTPA

*King v. Roorda* - real property, easement

*Fernald v. State* - probation revocation

*Weston v. State* - sentencing

## Third District Court of Appeal - Miami

*Kritzman v. Kritzman* - MSA, retirement account, equitable lien

*Bath Club CA v. Bath Club* - real property, covenants, injunction

*Bath Club v. Bath Club CA* - fees and costs

*Del Prado v. Optimus* - JNOV standard

*SMA Behavioral v. Loewinger* - venue, wrongful death action

*Brown & Brown v. Tzadik Acquisitions* - venue, insurance agent action

*Save Calusa v. Miami-Dade* - zoning resolution, standing, notice

*Saenz v. Sanchez* - prohibition, judicial disqualification

## Fourth District Court of Appeal - West Palm Beach

*Quisenberry v. Bates* - constructive service, waiver

*Young v. New Residential* - foreclosure, counterclaims, appellate jurisdiction

*Johnstone v. State* - dissent, stalking statute

*State v. Mancuso* - prohibition, certiorari, case jurisdiction, veterans court

## Fifth District Court of Appeal - Daytona Beach

*DNS Auto Glass v. State Farm* - transfer venue, costs

*Rhoades v. Rodriguez* - auto negligence, sanctions, additur

*Nationwide Ins v. Integrity Medical* - insurance, PIP

*State Farm v. Hochreiter* - insurance, roof, ordinance coverage

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

*Omni Healthcare v. N Brevard Cnty Hosp Dist* - appellate jurisdiction; nonfinal order, tolling

*Buchanan v. State* - Anders appeal, probation, oral pronouncement, written ruling

*In re Trust of Adean Wines* - appointment, trustee; due process, notice

*Cummings v. State* - Spencer bar, pro se

# Sixth District Court of Appeal - Lakeland

No decisions this week

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