

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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