

# Florida Appeals Court Decisions: Week of July 3 - 7, 2023

July 08, 2023

## U.S. Eleventh Circuit Court of Appeals

*Campbell v. Univ City Develop* - ADA, waterslide

*Tershakovec v. Ford* - class action, automobiles, fraud, FDUTPA

*USA v. Jews* - sentencing

*Ruiz v. US Att'y Gen* - immigration, removal, battered spouse

*Estate of Keeter v. Comm'r of Int Rev* - taxes, TEFRA, partner level determinations

*Henderson v. Ford* - products liability, prior incidents, untimely disclosed witness

*Signor v. Safeco* - auto insurance, Florida, cash value calculation

## Florida Supreme Court - Tallahassee

*Cruz v. State* - capital case, direct appeal

*Univ of Fla v. Carmody* - medical malpractice, presuit, certiorari review

*Calhoun v. State* - capital case, postconviction relief

*In re Fla R App P* - amending rule 9.130

*In re R Reg Fla Bar* - amending bar rule 6-10.3

## First District Court of Appeal - Tallahassee

*Williams v. Williams* - marital dissolution, temporary awards

*McCall v. State* - recalling witness

*WB's Septic & Sitework v. Tucker* - construction lien, enforcement, quantum meruit

*Miller v. Gordon* - parenting plan

*Harvey v. Hill* - child support

*Jennings v. State* - belated appeal

*TF v. DCF* - parental rights, failure to prosecute appeal

## Second District Court of Appeal - St. Petersburg

*Tampa Port Auth v. Henriquez* - ad valorem tax exemptions

*Gulf Marine Repair v. Henriquez* - ad valorem tax exemptions

*Hillsborough Aviation Auth v. Henriquez* - ad valorem tax exemptions, certified question

*Pio v. Macy's* - premises liability, mall landscaping

*Ruiz v. State* - postconviction relief

*State v. Panebianco* - solicitation, seducing, enticing, entrapment

*Randolph Farms CA v. Otto* - mandatory nonbinding arbitration, condition precedent

*Days v. State* - probation revocation

## Third District Court of Appeal - Miami

*Altman v. Brown* - trust, surcharge, attorney's fees

*DMT v. State* - § 810.0975(2)(b), vagueness, standing

*Fonseca v. Regions Bank* - voluntary dismissal, jurisdiction

*Green v. State* - postconviction relief

*HJ v. DCF* - parental rights, termination

*Atrium Med v. MSP Recovery* - mandamus, final judgment, right to entry

*Kessler v. Miami-Dade Cnty* - second-tier certiorari, due process

## Fourth District Court of Appeal - West Palm Beach

*Naranjo v. Ochoa* - dissolution, advanced inheritance

## Fifth District Court of Appeal - Daytona Beach

*Ernfridsson v. Ward* - dissolution, attorney's fees, findings

*Casiano v. Casiano* - partition, judicial sale, attorney's fees

*Tucker v. Tucker* - dissolution, timesharing, parental responsibility

## Sixth District Court of Appeal - Lakeland

*Baute v. Crenshaw* - staying litigation

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