

# Florida Appeals Court Decisions: Week of November 13-17, 2023

November 18, 2023

#### U.S. Eleventh Circuit Court of Appeals

USA v. Perez - sentencing, 18 USC § 3147

Powell v. Volusia Sch Bd - IDEA, ADA, public education

### Florida Supreme Court - Tallahassee

*Emerson v. Lambert* - dangerous instrumentality, vicarious liability *Loyd v. State* - capital case, direct appeal

#### First District Court of Appeal - Tallahassee

Perryman v. State - sentencing Stern v. DeSantis - public records request, fees Banks v. State - postconviction relief

## Second District Court of Appeal - St. Petersburg

Ottone v. Williamson Inv - eviction, unraised evidentiary deficiencies McQueen v. Baskin - defamation, media defendant, anti-SLAPP

#### Third District Court of Appeal - Miami

Kitaygorodskiy v. State - identification testimony, invited response

Heath v. State - sexual offender designation

Scognamillo v. Jamison - dissolution of marriage rehearing, insufficient record

Philip Morris v. Garcia - class limitation period

Mercado v. Sridhar - sale contract, enforceability

Dubois v. Affiliati Network - attorney's fees, insufficient record

Frantin v. Media Grp - personal jurisdiction, declaration

Saenz v. Sanchez - pre-trial timesharing

DJ v. State - involuntary commitment

### Fourth District Court of Appeal - West Palm Beach

BWB v. State - written threats, constitutionality

Aileen v. Univ Prop & Caus - verdict, waiver

Taylor v. State - sentencing

Sentz v. Bonefish Grill - slip-and-fall, direct evidence

Harripersad v. Lake Park Gardens - settlement, evidentiary hearing

### Fifth District Court of Appeal - Daytona Beach

Blazejowski v. State - Spencer warning, pro se

Hicks v. State - Spencer bar, pro se

Grimmage v. State - Spencer warning, pro se

Prop Reg Champ v. Mulberry - forum selection clause, contract

#### Sixth District Court of Appeal - Lakeland

Bowein v. Sherman - contract ambiguity, specific performance

Begonja v. Wyndham Vacation Resorts - pro hac vice

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