

# 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

### Related Practices

[Appellate & Trial Support](#)

publication may not be quoted or referred to in any other publication or proceeding without the prior written consent of the firm, to be given or withheld at our discretion. To request reprint permission for any of our publications, please use our Contact Us form via the link below. The views set forth herein are the personal views of the author and do not necessarily reflect those of the firm. This site may contain hypertext links to information created and maintained by other entities. Carlton Fields does not control or guarantee the accuracy or completeness of this outside information, nor is the inclusion of a link to be intended as an endorsement of those outside sites.