

# Florida Appeals Court Decisions: Week of November 27- December 1, 2023

December 02, 2023

## U.S. Eleventh Circuit Court of Appeals

*USA v. Duldulao* - invited error, jury instructions; conspiracy evidence

*Ponzio v. Pinon* - class action, settlement, auto paint

*USA v. Steiger* - en banc order vacating *this* opinion

## Florida Supreme Court - Tallahassee

*Tallahassee v. Fla PBA* - Marsy's Law, releasing officers' names

*State v. Manago* - sentencing

*In re Cert for Add'l Judges* - additional judges

## First District Court of Appeal - Tallahassee

*Gulf Mgmt v. Wall* - workers' compensation

*Ivey v. State* - collateral act evidence

*Kuschnitzky v. Marasco* - sexual violence injunction

*State v. McCall* - sentencing

*McKnight v. State* - appellate costs

*Hauser v. State* - involuntary plea, preservation of error

*Bedgood v. State* - ineffective assistance, appellate counsel

*Gorham v. Cousin* - appellate jurisdiction

*Stephens v. DOC* - mandamus, mootness

*Gainesville v. Rodgers* - manifest weight of evidence, error denying new trial

*JM v. DOC* - parental rights, termination

*Byrd v. Black Voters Matter* - en banc, congressional districts, challenge

## Second District Court of Appeal - St. Petersburg

*Perez v. State* - sentencing, jail credit

*Butler v. State* - Nelson hearing, Faretta inquiry

*DOC v. Holt* - quo warranto, public defender representation

## Third District Court of Appeal - Miami

*Tower Hill v. Bermudez* - earth movement exclusion, jury instruction

*Morrow v. SF Materials* - insufficient record

*Gomez v. State* - postconviction relief

*AB v. State* - appellate issue waiver

*Lizano v. State* - postconviction relief

*State v. Delva* - child support modification

## Fourth District Court of Appeal - West Palm Beach

*Brown v. State* - double jeopardy, costs

*State v. Desimone* - patient brokering, evidentiary hearing

*Saffold v. State* - plea withdrawal, resentencing, conflict

*PB Polo v. Ethrensa Fam Tr* - right of first refusal, restraint on alienation

## Fifth District Court of Appeal - Daytona Beach

*Melochoire v. Boetzel* - concurrence, negligence, auto

*People's Trust Ins v. Diaz* - insurance, water damage

*State Farm v. James* - insurance, water damage

*Flaig v. Coquina Palms* - concurrence, HOA

*Franklin v. State* - sentencing, assistance of counsel, confession of error

*Anderson v. State* - Anders appeal, scrivener's error

*Thomas v. State* - sentencing

*Adv Biomedical v. 1551 Properties* - appellate jurisdiction; timely appeal, rehearing, tolling

*Turner v. State* - sentencing

*Scott v. Scott* - certiorari, contempt, irreparable harm

# Sixth District Court of Appeal - Lakeland

No opinions this week

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