

Florida Appeals Court Decisions: Week of October 16-20, 2023

October 21, 2023

U.S. Eleventh Circuit Court of Appeals

Scott v. Adv'd Pharm Consult - Rule 54, § 1292(b), appellate jurisdiction

Noble Prestige v. Galle - appellate jurisdiction, injunction, TRO

Positano Place CA v. Empire Indem - appellate jurisdiction, insurance, appraisal order

Edger v. McCabe - § 1983, qualified immunity, Stop-and-Identify statute

Florida Supreme Court - Tallahassee

In re Fla R Civ P 1.530 - amended rule

First District Court of Appeal - Tallahassee

Gainey v. State - self-defense, law enforcement opinion, fundamental error

Heagney v. State - habeas corpus

Second District Court of Appeal - St. Petersburg

No decisions this week

Third District Court of Appeal - Miami

Ramle v. Miami-Dade Cnty - involuntary dismissal, tax deed sale, surplus

MDC v. Nader + Museu I - set-off, attorney's charging lien, collateral estoppel

Liu v. Univ of Mia - foreclosure, appellate jurisdiction

Pomeroy v. Griffin Windows - correct measure of damages, insufficient record

Figueroa v. State - closed-circuit television testimony, case-specific findings

Citizens v. Cruz - attorney's fees

Heritage v. Century Park CA - appraisal, coverage, dual-track approach

Seduction v. Dunbar - arbitration, evidentiary hearing

Robinson v. State - habeas corpus, ineffective assistance

Rigg v. State - postconviction relief

Saenz v. Sanchez - mandamus, jurisdiction

Fourth District Court of Appeal - West Palm Beach

Nepola v. Nepola - en banc, child support guidelines

Jaimes-Luviano v. State - sentencing order, oral pronouncement

CNN v. Black - defamation, punitive damages

Green Tech Dev v. Kahn & Resnik - account stated

Waterside v. S. Homes - settlement, mutual mistake

Sheermohamed v. Tozzi - injunction, psych exam

McClam v. Carrier - pickup order, custody

Cleveland Clinic v. Daniels - certiorari, presuit notice, med mal

Fifth District Court of Appeal - Daytona Beach

Roller v. Collins - trust, beneficiaries, statutory reimbursement, § 673.4191

Garrison v. Williamson - dating violence injunction, notice

Luck v. State - Anders appeal, costs

Davis v. State - postconviction relief

Walters v. State - Spencer bar, pro se

Caldwell v. State - postconviction relief

DCF v. RV - dependency, dismissal

KF v. DCF - dependency, certiorari, court records access

Sixth District Court of Appeal - Lakeland

State v. Besten - personal jurisdiction

Pickell v. Lennar Homes - res judicata, privity of parties

Peacock Services v. Pro Form Sports - insufficient record

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