

# Florida Appeals Court Decisions: Week of October 30-November 3, 2023

November 03, 2023

## U.S. Eleventh Circuit Court of Appeals

*PRN Real Estate v. Cole* - bankruptcy, discharge

*Land v. Jackson Cnty Sheriff* - qualified immunity, state agent immunity

*Pernell v. Andrade* - discovery, state legislators, privilege

## Florida Supreme Court - Tallahassee

*In re Fla R Civ P* - amended rule 1.280

*Ellison v. Willoughby* - setoff, bad faith settlement, personal injury damages

## First District Court of Appeal - Tallahassee

*Diggs v. Cushman* - access and utility easement

*Swearingen v. State* - emotional testimony, fundamental error

*Igou v. Jimmie's Truckstop* - certiorari, vocational examination, requirements of law

*Broer v. FSU BOT* - sovereign immunity

*Knapp v. Harling* - rule 1.442, settlement proposal

*Green v. State* - postconviction relief

*Jones v. State* - appellate jurisdiction

## Second District Court of Appeal - St. Petersburg

*Jean-Foster v. State* - sentencing

*DJB v. Largo* - amended pleadings, summary judgment continuance, due process, estoppel

*McGhee v. In re Estate of McGhee* - probate, dismissal, notice

*Nyenhuis v. State* - forfeiture, replevin

*DOR v. Pizarro* - child support, administrative jurisdiction

## Third District Court of Appeal - Miami

*Davis v. Tookes* - defamation, absolute immunity

*Molina v. Fuenmayor* - parental rights, termination

*Jimenez v. State* - postconviction relief

*Alarcon v. Dagen* - attorney's fees, *Rosen* factors

*Alan v. Sandy T. Fox, P.A.* - appellate jurisdiction, non-final order

## Fourth District Court of Appeal - West Palm Beach

*Bernstein v. Bernstein* - rehearing, alimony, marital assets

*Murphy v. Suarez* - alimony termination, retroactive

*Cont Connections v. DOD Holdings* - compulsory counterclaim

*Darling v. Ill* - res judicata

*Aguilera v. Agustin* - dissolution, valuation

*Belony v. N. Broward Hosp* - administrative remedies, FCRA

*Flopro v. EOX Tech* - recoverable costs

*Givogue v. Lighthouse Bay* - injunction, notice

*Baker v. State* - costs, domestic violence surcharge

*Bixby v. ECP Capital* - final order, time to amend

*Smith v. Capital One Auto* - accord and satisfaction, summary judgment

*AcostaFigueroa v. State* - certiorari, self-defense immunity, timeliness

## Fifth District Court of Appeal - Daytona Beach

*Discount Tire v. Bradford* - wrongful death, directed verdict; internal policies, duty

*Chauncy v. Gorden* - will, interested party, standing

*Keebler v. State* - postconviction relief

*LC v. EO* - termination, parental rights, standard of review

# Sixth District Court of Appeal - Lakeland

No decisions this week

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