

Florida Appeals Court Decisions: Week of January 22 - 26, 2018

APPELLATE & TRIAL SUPPORT | JANUARY 22, 2018

U.S. Eleventh Circuit Court of Appeals

US v. Presendieu - plea, sentencing
LMP v. Broward Cnty Sch Bd - IDEA, standing
US Commodity Futures Trading Comm v. Southern Trust Metals- Commodities fraud
Keister v. Bell - preliminary injunction, first amendment
Madison v. Ala DOC - order vacating opinion
US v. Llewlyn - sentence reduction
Georgia v. Pruitt - preliminary injunction, CWA
Smith v. RJ Reynolds - Engle, comparative fault
Humana Med Plan v. Western Heritage Ins - en banc

Florida Supreme Court – Tallahassee

Anderson v. State - capital case, postconviction relief; *Hurst*
Finney v. State - capital case, postconviction relief; *Hurst*
Hartley v. State - capital case, postconviction relief; *Hurst*
Jeffries v. State - capital case, postconviction relief; *Hurst*
Kelley v. State - capital case, postconviction relief; *Hurst*
Lightbourne v. State - capital case, postconviction relief; *Hurst*
Morris v. State - capital case, postconviction relief; *Hurst*
Stewart v. State - capital case, postconviction relief; *Hurst*
Trepal v. State - capital case, postconviction relief; *Hurst*
Trotter v. State - capital case, postconviction relief; *Hurst*

First District Court of Appeal – Tallahassee

Christian v. State - competency hearing
Johnson v. State - jury selection
Ferrandino v. Riley - non-party subpoena
Betts v. State - pro se sanctions
Harrison v. Lee Auto - appellate jurisdiction, summary judgment
Allen v. State - untimely appeal
Thomas v. State - double jeopardy; fees and costs
Perez v. State - competency hearing
Homestead v. Foust - workers' compensation
Delgado v. AHCA - Medicaid lien, wrongful death settlement
Speegle v. Rhoden - injunction, stay, companion criminal case

Second District Court of Appeal – Lakeland

Richards v. State - sexual predator registration
Bermudez v. State - double jeopardy
Baker v. State - probation revocation
Wirth v. State - sentencing
PHH Mort v. Parish - foreclosure, default, paragraph 22

Third District Court of Appeal – Miami

State v. Shine - sentencing
Two Islands v. Clarke - real property, easements, litigation privilege
Burton v. State - court appearance, video confession
Jester v. Pawley - unjust enrichment, limitations
Leggett v. State - grant theft, intent
Holmes v. State - pro se sanctions
Banco de los Trabajadores v. Cortez - personal jurisdiction, mootness
Cadet v. State - jail credit
McKenzie v. State - belated appeal
McDade v. State - postconviction relief

Fourth District Court of Appeal – West Palm Beach

Barton v. State - search and seizure; cell phone
Goldman v. Lustig - dockage rights; easements
DFG Group v. Heritage Manor - attorney's fees; damages
Newton v. State - booking photograph; evidence
Clark v. State - hood or mask enhancement; s. 775.0845
Longo v. Assoc Limousine - impleader; proceedings supplementary
Kirschner v. Kirschner - marital settlement agreement
Cabo Flats Jupiter v. Dawley - garnishment; summary judgment

Fifth District Court of Appeal – Daytona Beach

State Farm v. Harmon - remittitur, future medical expenses
21st Century v. Smith - harmless error
Penton v. Orange Cnty - lease, convention center, water damage
Sargent v. State - right to counsel
Wells v. State - probation revocation

©2020 Carlton Fields, P.A. Carlton Fields practices law in California through Carlton Fields, LLP. Carlton Fields publications should not be construed as legal advice on any specific facts or circumstances. The contents are intended for general information and educational purposes only, and should not be relied on as if it were advice about a particular fact situation. The distribution of this publication is not intended to create, and receipt of it does not constitute, an attorney-client relationship with Carlton Fields. This 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.