

# Florida Appeals Court Decisions: Week of July 9 - 13, 2018

APPELLATE & TRIAL SUPPORT | JULY 9, 2018

## U.S. Eleventh Circuit Court of Appeals

Newton v. Duke Energy Fla - Atomic Energy Act, Dormant Commerce Clause  
US v. Guevara - Bank Secrecy Act, sentencing  
Commodity Futures Trading Comm v. Southern Trust Metals - rehearing, commodities fraud

## Florida Supreme Court – Tallahassee

Eustache v. State - sentencing  
State v. Michel - sentencing  
Tambriz-Ramirez v. State - double jeopardy  
Rodriguez v. State - harmless error, criminal  
In re Std Jury Instr (Crim) - amended instructions

## First District Court of Appeal – Tallahassee

Altemar v. Lifespace - workers' compensation  
Peoples v. State - competency; jury waiver; murder  
Demming v. Demming - appellate jurisdiction, final order  
Figueroa v. Raulerson - elections  
Brown v. State - successive prosecutions, discharge  
Veach v. State - *Williams* rule; cross-examination  
Springhill Baptist v. Mobley - prohibition, ecclesiastical abstention  
Mahoney v. Mahoney - marital dissolution, fees, distribution  
Tripp v. State - search and seizure  
Tash v. Rogers - repeat violence injunction  
Nicely v. State - pro se sanctions  
CTT v. State - probation revocation  
Commander v. State - prohibition, Stand Your Ground  
Elmouki v. DOT - appellate jurisdiction, administrative review  
Burns v. State - sentencing, lack of remorse, certified question  
Anderson v. State - sentencing  
Williams v. State - postconviction relief  
Paulson v. Rankart - stalking injunction  
McCray v. State - sentencing, juvenile, *Graham*

## Second District Court of Appeal – Lakeland

Soule v. US Bank - foreclosure, notice, paragraph 22  
Daniels v. State - *Nelson* hearing  
Gibson v. Wachovia - garnishment, tax refund

Jones v. State - sentencing  
Meyers v. Shontz - manifest weight, standard  
FCCI v. Empire - attorney's fees, inherent authority  
EM v. State - criminal mischief; burglary  
Torres v. Lefler - pro se sanctions  
Bolduc v. State - jail credit  
Martinez v. State - single homicide rule  
Griffith v. Quality Dist - class action, settlement, fees  
Cendejas v. State - postconviction relief  
Duryea v. Bono - trial court jurisdiction  
Woodfield v. Ortiz - injunction, findings  
Lewis v. State - prohibition, Stand Your Ground

### **Third District Court of Appeal – Miami**

Jackson v. State - golden rule  
Desulme v. Rueda - receivers, *Barton* doctrine  
Gonzalez v. Baez - domestic violence injunction  
Calderon v. Vazquez - life insurance proceeds, trust  
Lane v. Lane - child's best interests, school selection  
Neree v. De La Fuente - res judicata

### **Fourth District Court of Appeal – West Palm Beach**

Bluefield Ranch v. SFWMD - standing; administrative proceeding  
DMB v. State - probation violation; loitering; prowling  
Slaughter v. State - prosecutorial comments  
Rachins v. Minassian - standing; trust protector; beneficiaries  
Francois v. Library Square - foreclosure; rehearing  
D'Anna v. Ackerman - attorney charging lien  
Williams v. Williams - marital settlement agreement; enforcement  
Robbins v. State - ineffective assistance; appellate counsel

### **Fifth District Court of Appeal – Daytona Beach**

Leppert v. State - on remand; jury finding  
Holloway v. Holloway - alimony; attorney's fees  
Progressive v. Fla Hosp Med Ctr - PIP; reimbursement  
Williams v. State - postconviction relief  
Sutton v. State - belated appeal