

# Florida Appeals Court Decisions: Week of April 12 - 16, 2021

APPELLATE & TRIAL SUPPORT | APRIL 16, 2021

## U.S. Eleventh Circuit Court of Appeals

*US v Russell* - sentence reduction  
*In re: Courtney Wild* - en banc, Jeffrey Epstein, Crime Victims' Right Act  
*Miller v. Gizmodo* - defamation, fair report privilege  
*Uzuegbunam v. Preczewski* - nominal damages, mootness

## Florida Supreme Court - Tallahassee

*Doty v. State* - order denying rehearing, concurrence  
*Woodbury v. State* - capital case, direct appeal  
*In re R Reg Fla Bar* - amended bar rule, CLE programs, prohibiting quotas

## First District Court of Appeal - Tallahassee

*Hartz v. Wells Fargo* - foreclosure, condition precedent, VA regs, amounts owed  
*McArthur v. State* - inadvertent photo display, *Miranda*, text messages  
*Gibson v. State* - prior consistent statement  
*Coleman v. State* - hearsay, preservation of error  
*Burnett Int'l Col v. Bd of Nursing* - nursing program, termination, formal hearing  
*Point Conversions v. Natha Govan* - mandamus  
*Williams v. State* - postconviction relief  
*Cook v. DOC* - public records, hearing requirement  
*Gilbert v. State* - ineffective assistance, appellate counsel  
*Romero v. State* - sentencing  
*Tanner v. Tanner* - marital dissolution, equitable distribution,  
*Global Hookah v. DBPR* - tobacco, tax, Commerce Clause challenge  
*Ramsey v. State* - competency  
*Kirkland v. State* - probation revocation  
*Blue v. State* - ineffective assistance, appellate counsel  
*Watts v. State* - pro se sanctions  
*Cuellar v. Rubi* - appellate jurisdiction, final order

## Second District Court of Appeal - Lakeland

*212 W 18 v. Kozel* - proceedings supplementary judgment, underlying decision reversal  
*Finlaw v. Finlaw* - probate, devise, partnership agreement  
*Laquidara v. Houghtaling* - stalking injunction, evidence  
*State v. Michaud* - certiorari, sentencing  
*UATP Mgmt v. Barnes* - arbitration  
*Villagio at Estero v. Am Cap Assur* - insurance appraisal, certified conflict  
*Avatar P&C v. Flores* - certiorari, discovery  
*Siesta Key Ass'n v. Sarasota* - beach restoration, EPA challenge  
*Ranucci v. Palmetto* - real property, annexation, limitations statute  
*Wilkinson v. Bell* - contempt, parenting plan  
*Friedberg v. O'Doyle Rules* - real property, contract, first refusal

## Third District Court of Appeal - Miami

*Valdes v. State* - Stand Your Ground, conflict certified  
*Harris v. Walker* - standard of review  
*Readon v. WPLG* - dismissal with prejudice, defamation  
*BJ's v. Bugliaro* - class certification, injunction, FDUTPA  
*THH v. Caceres* - motion to dismiss, personal jurisdiction  
*FM3 Liquors v. Bien-Aime* - landlord, tenant  
*Lubin v. State* - postconviction relief  
*Jefferson v. State* - postconviction relief  
*United Auto v. Gables Rehab* - summary judgment

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

*Cannon v. State* - battery; burglary of conveyance  
*Cohen's Org v. Premier Fire* - alter ego, corporate veil  
*Powers v. State* - sentencing, DUI  
*Sinclair v. State - Miranda*, reinitiating dialogue  
*Lenmar Realty v. Sun Electric* - lease, rental monies, court registry  
*Herman v. State* - expert, unpreserved error  
*Colarte v. State* - sentencing, costs  
*OH v. State* - delinquency; disposition order  
*Lafayette v. Moody* - peremptory challenge, *Melbourne*  
*AE v. State* - delinquency; probation, hearsay

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

*Palmer v. Palmer* - dissolution, child support, alimony  
*Veith v. Veith* - dissolution, child support, equitable distribution  
*Lindberg v. Fitzgerald* - certiorari, frivolousness, pro se warning  
*Lindberg v. Citro* - certiorari, frivolousness, pro se warning  
*Lindberg v. Assam* - certiorari, frivolousness, pro se warning  
*Bufford v. State - Spencer* bar, pro se

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