

# Florida Appeals Court Decisions: Week of January 11 - 15, 2021

APPELLATE & TRIAL SUPPORT | JANUARY 15, 2021

## U.S. Eleventh Circuit Court of Appeals

*Amodeo v. Warden* - postconviction relief

*Williams v. USA* - sentencing, ACCA

*Bibby v. MIC* - FCA, materiality, public disclosure bar, standing

## Florida Supreme Court - Tallahassee

*In re Fla R App P* - amended rule

## First District Court of Appeal - Tallahassee

*Albritton v. State* - postconviction relief

*Massey v. State* - sentencing, probation violation

*Owens v. State* - sentencing

*Jubran v. S Lane Distrib* - premises liability, summary judgment

*Smith v. State* - probation revocation

*Mills v. State* - postconviction relief

*Milne v. Inch* - inmate, mandamus timing, lien

*PJ v. DCF* - parental rights, termination

*Collias v. Gateway Acad* - premises liability, open and obvious danger

*Baca v. State* - belated appeal

*Ammeen v. Sjogren* - trusts, breach of trust

*Ideal Prof'l Inst v. Fla Bd of Nursing* - school accreditation termination

*Akel v. State* - postconviction relief

*Moralez v. Inch* - habeas corpus

*Reshard v. McNeil* - habeas corpus

## Second District Court of Appeal - Lakeland

*Davis v. State* - continuance, prosecutor closing argument

*Bell v. State* - community control violation

*Ramirez v. State* - probation revocation

*Nichols v. State* - alligators, special concern species, confusing jury instructions

*Pratus v. Marzucco's Constr* - premises liability, open and obvious danger

*Synaxis Land v. Hunt Real Estate* - collateral release, summary judgment

*Avery v. Avery* - appellate jurisdiction, fees without amount

*Glevis v. Glevis* - finality, magistrate recommendation; marital dissolution, timesharing

*Gibson v. State* - jury selection, *Melbourne* analysis

*DS v. State* - sentencing

*Kegler v. State* - community control violation

## Third District Court of Appeal - Miami

*Posey v. State* - reverse *Williams* rule evidence  
*State v. Yero* - state's appellate rights, mandate, intervening authority  
*Opa-Locka v. Suarez* - class certification, water billing, water deposits  
*McFarlane v. State* - postconviction relief  
*Ramos v. Miss Real Estate* - proceedings supplementary, charging order  
*Bank of Am v. Williams Island Prop* - foreclosure, summary judgment  
*Children's Home Soc'y v. KW* - certiorari, civil contempt  
*Nat'l Med Imaging v. Lyon Fin Servs* - en banc, bankruptcy, appellate stay  
*Parisi v. Qiadri de Kingston* - personal jurisdiction  
*Thomas v. State Farm* - certiorari, insurance, appraisers, bias discovery  
*Clarington v. State* - probation violation  
*Avatar P&C v. Mitchell* - certiorari, insurance, discovery, work product  
*Amezcuca v. Cortez* - injunction, foreign judgment, comity

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

*Metellus v. State* - double jeopardy  
*OL v. State* - DJJ recommendation, written competency order

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

*Rouse v. State* - *Anders* appeal, costs  
*Ball v. State* - criminal, competency, withdraw plea  
*Howell v. State* - probation violation, willfulness  
*Taylor v. State* - dissent, postconviction relief  
*Balut v. Balut* - partial equitable distribution, interim

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