



Supreme Court of Florida

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Oral Argument Press Summaries April 4-8, 2016 no arguments on April 4, 5 or 8

Wednesday, April 6

Daniel Stahl v Hialeah Hospital, et al., [SC15-725](#)
statewide – starts about 9:00 a.m.

Mr. Stahl, a nurse who was injured while working at Hialeah Hospital, filed a claim for benefits under Florida's workers' compensation law but was denied the benefits he believed were appropriate. He challenged the constitutionality of the law, pointing to its failure to provide benefits for workers who are permanently and partially disabled from on-the-job injuries. The First District Court of Appeal upheld the constitutionality of the workers' comp law and this appeal followed.

Joshua Altersberger v. State & Joshua Altersberger v. Julie L. Jones, etc., [SC15-628](#) & [SC15-1612](#)

Highlands County – starts about 9:40 a.m.

Mr. Altersberger pled guilty to the first-degree murder of Florida Highway Patrol Sgt. Nicholas Sottile, who was fatally shot in 2007. After the penalty phase, the jury voted 9-3 to recommend a death sentence and the trial court condemned Mr. Altersberger to death. This Court upheld the sentence on direct appeal. Mr. Altersberger filed a post-conviction challenge in trial court and it was denied. This appeal followed.

--10 minute break--

Florida Department of Revenue et al., v. DirecTV, Inc., etc., et al., [SC15-1249](#)

Statewide – starts about 10:30 a.m.

DirecTV and other satellite TV companies challenged the constitutionality of Florida's Communications Services Tax, alleging it benefitted cable companies over satellite companies and so violated the Commerce Clause of the U.S. Constitution by favoring in-state businesses over out-of-state businesses. The trial court disagreed, upholding the constitutionality of the law. But the First District Court of Appeal overturned the trial court, ruling the tax law was unconstitutional. The state Department of Revenue and Florida's cable industry appealed that decision by the 1st DCA to this Court.

Justin Demott v. State, [SC15-868](#)

St. Johns County – starts about 11:10 a.m.

Mr. Demott was sentenced to 12 years in prison after pleading no contest to child abuse charges. He was also sentenced to five years probation with the condition that he not associate with anyone using illegal drugs. He challenged that condition on appeal, arguing it was vague and could be violated unknowingly. The Fifth District Court of Appeal upheld his sentence, including the probation condition, and Mr. Demott asked this Court to review the issue, pointing to a conflicting ruling by the Second District Court of Appeal.

Thursday, April 7

Clemente Aguirre-Jarquín v. State & Clemente Aguirre-Jarquín v Julie L. Jones, etc., SC13-2092 & SC14-1332

Highlands County – starts about 9:00 a.m.

Mr. Aguirre-Jarquín was convicted of the first-degree murders of Cheryl Williams and her mother, Carol Bareis, who were fatally stabbed in 2004. The jury voted 7-5 to recommend a death sentence for the murder of Ms. Williams and 9-3 to recommend a death sentence for the murder of Ms. Bareis. The trial court condemned him to death and this Court upheld his sentences on direct appeal. Mr. Aguirre-Jarquín filed a post-conviction challenge in trial court and it was denied. This appeal followed.

The Florida Bar v. Charles Kane, SC13-388

Starts about 9:40 a.m.

In this attorney disciplinary case, a judge serving as a referee concluded that Mr. Kane was guilty of several violations of the ethical standards for lawyers, including deceiving clients in insurance cases so as to enrich himself with the bulk of the settlement, deceiving co-counsel in an effort to keep from paying their fees and trying to deceive bankruptcy courts in an effort to avoid paying the other lawyers, who had successfully sued Mr. Kane for their fees. The judge-referee recommends that this Court suspend Mr. Kane from the practice of law for three years. The Florida Bar argues that he should be disbarred and Mr. Kane argues the Florida Bar acted improperly in investigating his conduct and that the ethical complaint against him should be dismissed.

--10 minute break--

The Florida Bar v. Harley Kane, SC13-389

Starts about 10:20 a.m.

In this attorney disciplinary case, a judge serving as a referee concluded that Mr. Kane was guilty of several violations of the ethical standards for lawyers, including deceiving clients in insurance cases so as to enrich himself with the bulk of the settlement, deceiving co-counsel in an effort to keep from paying their fees and trying to deceive bankruptcy courts in an effort to avoid paying the other lawyers, who had successfully sued Mr. Kane for their fees. The judge-referee recommends that this Court disbar Mr. Kane. The Florida Bar supports that recommendation. Mr. Kane argues that the Bar acted improperly in investigating his conduct and that the ethical complaint against him should be dismissed.

The Florida Bar v. Darin Lentner, [SC13-390](#)
Starts about 10:50 a.m.

In this attorney disciplinary case, a judge serving as a referee concluded that Mr. Lentner was guilty of several violations of the ethical standards for lawyers, including deceiving clients in insurance cases so as to enrich himself with the bulk of the settlement and deceiving co-counsel in an effort to keep from paying their fees. The judge-referee recommends that this Court suspend Mr. Lentner from the practice of law for two years. The Florida Bar argues that Mr. Lentner should be disbarred. Mr. Lentner argues he should be suspended from the practice of law for 60 days.

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