



Supreme Court of Florida

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Oral Argument Press Summaries Week of April 6-10, 2015

There are no arguments on April 6 or April 10

Tuesday, April 7

Joseph B. Doerr Trust, et al., v. Central Florida Expressway Authority, et al., [SC14-1007](#)
Orange County – starts about 9:00 a.m.

The Expressway Authority filed an eminent domain suit to acquire privately-owned land needed for a highway project. The owners of the land challenged the constitutionality of the law used to calculate the fees to be paid to their attorneys by the Expressway Authority. The property owners argued the Authority had caused excessive litigation and created more work for their lawyers, thus decreasing the hourly rate to an unreasonable level. The trial court agreed but the Fifth District Court of Appeal overturned the lower court and asked this Court to review the issue as one of great public importance.

Jonathan Knight v. State, SC13-564
Orange County – starts about 9:40 a.m.

Mr. Knight was convicted of possessing more than 20 grams of cannabis. On appeal, he argued he should have been acquitted because the evidence against him was entirely circumstantial and a reasonable hypothesis of innocence existed that the state failed to refute. The Fifth District Court of Appeal upheld the conviction but certified conflict with other Florida appellate courts in decisions dealing with circumstantial evidence and a defendant's reasonable hypothesis of innocence.

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Walter Headley Jr., et al. v. City of Miami, SC13-1882
Dade County – starts about 10:30 a.m.

The City of Miami cut police pay and retirement benefits, unilaterally changing the terms of a collective bargaining agreement. The Fraternal Order of Police, which represents Miami police officers in collective bargaining, filed an unfair labor practice charge against the City. The Public Employees Relations Commission agreed with the City that its actions were legal under a state law dealing with financial emergencies. The First District Court of Appeal upheld that finding. The police union appealed, arguing the city failed to meet the legal standards for triggering unilateral changes.

Wednesday, April 8

State v. Lawrence Ingram, SC14-564
Lake County – starts about 9:00 a.m.

Mr. Ingram was sentenced to life in prison after being convicted of three counts of sexual battery on a minor. He filed a public records request for a videotaped statement made by the minor victim but the trial court denied the request. The Fifth District Court of Appeal overturned the lower court and certified a question of great public importance for this Court's review concerning whether the unredacted videotaped statement is exempt and confidential and not subject to a public records request. The state appealed.

Adrian Fridman v. Safeco Insurance Co. of Illinois, [SC13-1607](#)
Orange County – starts about 9:40 a.m.

Mr. Fridman was hurt in a traffic crash with an underinsured motorist and sought benefits under his own insurance policy. He sued Safeco, his insurer, more than 60 days after filing the notice required by state law. Before the trial, Safeco paid Mr. Fridman \$50,000, the full benefit under his policy, and moved to dismiss the trial. The judge refused to do so on the grounds that Mr. Fridman was planning to sue Safeco for bad faith and state law requires a jury verdict of damages in such cases. The jury returned a verdict for \$1 million in damages. Safeco appealed and the Fifth District Court of Appeal reversed.

--10 minute break--

James Robertson v. State, [SC13-443](#)
Charlotte County – starts about 10:30 a.m.

Mr. Robertson pled guilty to the first-degree murder of his cellmate, Frank Hart, who was strangled in 2008. Mr. Robertson waived his right to penalty phase before a jury charged with recommending a sentence. The judge condemned Mr. Robertson to death. This is his direct appeal. Mr. Robertson's appeal attorneys are arguing to this Court the trial judge erred in not appointing an attorney to submit mitigating evidence before Mr. Robertson was sentenced.

Tai Pham v. State; Tai Pham v. Julie L. Jones, etc., [SC14-142](#); [SC14-1248](#)
Seminole County – starts about 11:10 a.m.

Mr. Pham was convicted of the first-degree murder of his estranged wife, Phi Amy Pham, who was fatally stabbed in 2005. The jury voted 10-2 to recommend a death sentence and he was condemned to death. This Court upheld his sentence on direct appeal and Mr. Pham filed a postconviction challenge in trial court. It was denied and this appeal followed.

Thursday, April 9

Anamaria Santiago v. Mauna Loa Investments, LLC, [SC13-2194](#)
Dade County – starts about 9:00 a.m.

Ms. Santiago sued Mauna Loa, alleging she was hurt when she tripped and fell on an unsafe walkway in a warehouse owned by the company. At trial, she was awarded \$1 million in damages. On appeal, the Third District Court of Appeal overturned that judgment and Ms. Santiago asked this Court to review the case.

Charles Anderson v. State; Charles Anderson v. Julie L. Jones, etc., [SC12-1252](#); [SC14-881](#)

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

Mr. Anderson was convicted of the first-degree murder of his stepdaughter, Keinya Smith, who was fatally run over in 1994. The jury voted 8-4 to recommend a death sentence and he was condemned to death. This Court upheld his sentence on direct appeal and Mr. Anderson filed a postconviction challenge in trial court. It was denied and this appeal followed.

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Jennifer Brinkmann v. Tyron Francois, etc., et al., [SC14-1899](#)

Broward County – starts about 10:30 a.m.

After qualifying Mr. Francois as a write-in candidate for a county commission seat, elections officials closed the 2014 primary ballot. Since all the other candidates were Democrats, this meant only Democrats could vote. Ms. Brinkmann sued, arguing the state constitution opens primaries to all voters when no opposition candidate will be challenging the primary winner in the general election. She argued a write-in candidate does not qualify as opposition. She also argued Mr. Francois should not be on the ballot because he lived outside the district, in violation of state law. The trial court agreed but the Fourth District Court of Appeal reversed that ruling and ordered the election closed. The 4th DCA also found the residency statute unconstitutional.

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