



Supreme Court of Florida

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Oral Argument Press Summaries

November 2 & 3 no cases on October 31, November 1 & 4

Wednesday, November 2, 2022

[SC21-1255 Samantha Elaine Tsuji, et al. v. H. Bart Fleet, Etc., et al.](#)

Escambia County – Begins at 9:00 a.m.

Four years after suffering injuries in a car accident, Tsuji filed a lawsuit against the other driver, now deceased and represented by H. Bart Fleet, for negligence and the driver's employer Lewis Bear Company (LBC), based on vicarious liability. At trial, Fleet and LBC argued that Florida probate law limits the filing of claims against a decedent's estate to within two years of death. Tsuji argued that the two-year time limitation doesn't apply because her claim seeks to recover damages from the decedent's insurance policy, not the estate. The trial court ruled that Fleet and LBC were not liable due to the time limitation in Florida law. On appeal, the First District Court of Appeal affirmed the trial court ruling, and this appeal followed. Tsuji asks this Court for review, arguing that the First DCA decision conflicts with a decision of this Court and other appellate courts.

Thursday, November 3, 2022

[SC20-1479 Bill Furst, Etc., et al. v. Rod Rebholz, Etc., et al.](#)

Sarasota County – Begins at 9:00 a.m.

The Property Appraiser of Sarasota County reduced the homestead exemption value of Rebholz's property because he rented out a portion of his home. Rebholz challenged the Property Appraiser's authority and application of Florida law to reduce the homestead exemption. The trial court restored the homestead exemption to full value and concluded that the law was unconstitutional as applied. The

Second District Court of Appeal affirmed the trial court but ruled that it erred in addressing the law's constitutionality. Furst, the Property Appraiser, asks this Court for review, arguing that the Second DCA decision conflicts with another appellate court decision and because the issue affects a class of constitutional officers.

[SC21-1204 Kevin F. Tomlinson v. State of Florida](#)

Miami-Dade County – begins about 9:40 a.m.

Tomlinson was charged with two counts of extorting fellow real estate brokers. At trial, the judge provided the jury with the definition of legal malice and instructed the jury on the elements of extortion. Tomlinson objected to the legal malice definition and argued that the law requires the use of actual malice. The judge denied the request, and the jury found Tomlinson guilty on both extortion counts. On appeal, the Third District Court of Appeal affirmed the trial court ruling, and this discretionary review proceeding followed. Tomlinson asks this Court for review, arguing that the Third DCA decision conflicts with other appellate court decisions.

10-minute break

[SC21-1070 Reynaldo Figueroa Sanabria v. State of Florida](#)

Pinellas County – begins about 10:30 a.m.

Figueroa Sanabria was convicted of the first-degree murders of John Travlos and Germana Morin, who were stabbed to death in 2013. The jury unanimously recommended a death sentence, and the trial court sentenced him to death. This is his direct appeal.