

FLORIDA SUPREME COURT CASES DECIDED IN 2020 AND 2021

- In *Bush v. State*, 295 So. 3d 179 (Fla. 2020), the Florida Supreme Court abandoned the special appellate standard of review for cases in which the only proof of guilt is circumstantial.
- In *State v. Poole*, 297 So. 3d 487 (Fla. 2020), the Florida Supreme Court receded from its decision in *Hurst v. State*, 202 So. 3d 40 (Fla. 2016), and held that the Sixth Amendment does not require that a jury's recommendation for death be unanimous.
- In *Lawrence v. State*, 308 So. 3d 544 (Fla. 2020), the Florida Supreme Court receded from precedent and held that the Florida Constitution's Conformity Clause *precludes* constitutional comparative proportionality review of death sentences.
- In *Davis v. State*, 332 So. 3d 970 (Fla. 2021), the Florida Supreme Court receded from precedent and held that the Fifth Amendment is *not* violated if a trial court increases a defendant's sentence based on the failure to show remorse.