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Czapla v. State, 32 Fla. L. Weekly D1205 (Fla. 1st DCA 2007):

Defendant charged with felony child abuse of his son failed to establish the affirmative defense of reasonable corporal punishment; defendant's act in kicking his son while the son was laying on the ground was an intentional act that could reasonably be expected to result in physical or mental injury to the son and was an act that was likely to result in physical injury.

“Because, given the form of discipline used, intentionally kicking a child who is lying on ground, Czapla's conduct was, as a matter of law, not reasonable corporal discipline, it is not necessary for us to consider whether there was harm actually sustained by the child.”

Scott v. State, 32 Fla. L. Weekly D1206 (Fla. 1st DCA 2007):

Although child's broken bones required the use of a body cast, the causes of the injuries were not established to be relevant as inextricably intertwined or similar fact evidence with respect to the charged crime of felony murder by aggravated child abuse so as to be admissible; the broken bones were not related to the cause of child's death, and the events happened a month prior to the child's death.

Since State never argued before trial court that evidence of child's broken bones was admissible as *Williams* rule evidence and the trial court never considered the evidence within the parameters of rule governing other crimes evidence and defense counsel was never afforded an opportunity to argue against the admission on such grounds, it would be improper for appellate court to affirm the trial court's ruling allowing admission of this evidence on this basis in prosecution of defendant for felony murder by aggravated child abuse.

Williams v. State, 32 Fla. L. Weekly S219 (Fla. 2007):

Lewd or lascivious battery is a permissive lesser included offense of sexual battery, under amended version of lewd or lascivious battery statute, which, unlike former version of statute, did not expressly exclude sexual battery as a means of perpetrating a lewd or lascivious crime; definition of “sexual activity” for purposes of lewd or lascivious battery was identical to definition of “sexual battery” for crimes under sexual battery statute.

State was entitled to have jury instructed on lesser offense of lewd or lascivious battery in prosecution for sexual battery, as information alleged all statutory elements of lewd or lascivious battery, and there was evidence at trial establishing those elements.