

# Supreme Court of Florida

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No. 64,725

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MIAMI DAILY NEWS, INC., et al.,  
Petitioners,

vs.

ALICE P., et al., Respondents.

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[April 4, 1985]

PER CURIAM.

We accepted jurisdiction in this cause, reported below as Alice P. v. Miami Daily News, Inc., 440 So. 2d 1300 (Fla. 3d DCA 1983), on the basis of conflict with this Court's decision in Wait v. Florida Power & Light Co., 372 So. 2d 420 (Fla. 1979). After receiving briefs and hearing oral argument, we find that there is no direct and express conflict and, consequently, there is no basis upon which to establish jurisdiction.

Accordingly, the petition for review is denied.

It is so ordered.

BOYD, C.J., ADKINS, OVERTON, ALDERMAN, McDONALD, EHRLICH and SHAW, JJ., Concur

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT. SEE FLA.R.APP.P. 9.330(d).

Application for Review of the Decision of the District Court of  
Appeal - Direct Conflict of Decisions

Third District - Case No. 82-1475

Joseph P. Averill, Miami, for Miami Daily News, Inc. and Thomas H.  
Dubocq; and Morton Laitner, Miami, for Dade County Department of  
Public Health, Department of Health and Rehabilitative Services,

Petitioners

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for Respondents

Paul J. Levine and Sonia M. Pawluc of Morgan, Lewis and Bockius,  
Miami; and Richard J. Ovelmen, General Counsel, Miami, for The Miami  
Herald Publishing Company, Amicus Curiae

Charlene Miller Carres, University of Miami, School of Law, Coral  
Gables; and Bruce Rogow, General Counsel, Nova University Law  
School, Ft. Lauderdale, for American Civil Liberties Union Foundation  
of Florida, Inc., Amicus Curiae

Jim Smith, Attorney General and Mitchel D. Franks, Chief Trial  
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