

IN THE SUPREME COURT  
OF THE STATE OF FLORIDA

OYSTER POINTE RESORT CONDOMINIUM  
ASSOCIATION, INC., etc., et al.,

Plaintiffs, Petitioners,

v.

DAVID C. NOLTE, as Property Appraiser  
for Indian River County, etc., et al.,

Defendants, Respondents.

CASE NO. 69,794  
**FILED**  
SID. WHITE  
JAN 23 1987  
CLERK SUPREME COURT  
By \_\_\_\_\_  
Deputy Clerk

RESPONDENT, DAVID C. NOLTE'S,

JURISDICTIONAL BRIEF

Respectfully submitted by:

Robert Jackson, Esq.  
Robert Jackson, P.A.  
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Attorney for Respondent,  
David C. Nolte as Property  
Appraiser for Indian River  
County, Florida

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COMES now, DAVID C. NOLTE, as Property Appraiser for Indian River County, by and through his undersigned attorney, and in reply to the brief filed herein by Oyster Pointe Resort Condominium Association, Inc., a Florida corporation not for profit; Oyster Pointe Associates, a Florida general partnership; and Donald J. Pinson, Jr., for himself and all members of a class similarly situated; Oyster Bay II owners' Association, Inc., a Florida corporation not for profit; Sebastian Resort Properties, Inc., a Florida corporation; and Leonard Popow, for himself and all members of a class similarly situated, Petitioners, and says:

POINT I

The issues herein and in the case of Spanish River Resort Corporation v. Walker, Case No. 85-1645, in the District Court of Appeal, Fourth District, are the same. The District Court certified this cause and accordingly no brief is authorized under Rule 9.120(d), Rules of Appellate Procedure.

POINT II

There is a conflict created as argued by the Petitioners between the Fourth and Fifth District Courts, but only as it relates to the collection of taxes. Therefore, any review should be limited to the issue of collection of taxes only.

POINT III

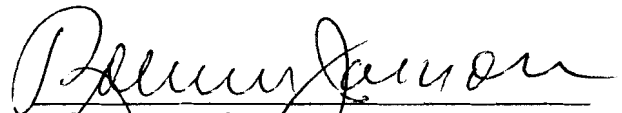
Respondent agrees the District Court upheld the validity of Section 192.037, Florida Statutes (1985), but should accept

jurisdiction as to the method of assessment only by the certification of issue by the Fourth District Court of Appeal.

POINT IV

Respondent agrees the decision of the District Court of Appeal affects the performance of the Defendants, Respondents' duties.

Respectfully submitted,



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Appraiser for Indian River  
County, Florida

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Respondent's, David C. Nolte's, Jurisdictional Brief, has been served this 21st day of January, 1987, by U. S. Mail, on Michael O'Haire, 3111 Cardinal Drive, Vero Beach, FL 32963, attorney for Plaintiffs, Petitioners; Miles B. Mank, II, P.A., P. O. Box 908, Vero Beach, FL 32961-0908, attorney for Defendant, Respondent, Gene E. Morris; and J. Terrell Williams, Esq., Assistant Attorney General, The Capitol, Room 1104, Tallahassee, FL 32301, Attorney for Defendant, Respondent, Randy Miller, Department of Revenue.

  
Robert Jackson