

# Supreme Court of Florida

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No. 70,237

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ST. JOSEPH'S HOSPITAL, INC.,  
Petitioner,

vs.

ELAINE M. COXON, etc., et al.,  
Respondents.

[October 8, 1987]

GRIMES, J.

We have for review the consolidated cases of Florida Patient's Compensation Fund v. Coxon and St. Joseph's Hospital, Inc. v. Coxon, 502 So.2d 1369 (Fla. 2d DCA 1987), which are certified to be in direct conflict with Bouchoc v. Peterson, 490 So.2d 132 (Fla. 3d DCA 1986). Our jurisdiction is predicated upon article V, section 3(b)(4), of the Florida Constitution. We quash the decision of the district court of appeal and remand for disposition consistent with our recent decision in Florida Patient's Compensation Fund v. Bouchoc, Nos. 69,230, 69,493 and 69,421 (Fla. July 16, 1987).

It is so ordered.

McDONALD, C.J., and OVERTON, EHRLICH, SHAW, BARKETT and KOGAN, JJ.,  
Concur

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF  
FILED, DETERMINED.

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

Second District - Case Nos. 86-814 and 86-815

Ted R. Manry, III and T. Paine Kelly, Jr. of Macfarlane, Ferguson,  
Allison & Kelly, Tampa, Florida,

for Petitioner

Larry I. Gramovot of de la Parte, Gilbert & Gramovot, P.A., Tampa,  
Florida, for Respondent, Coxon; and Marguerite H. Davis of Swann  
and Haddock, P.A., Tallahassee, Florida, for Respondent Florida  
Patient's Compensation,

Respondents