

Supreme Court of Florida

No. 72,412

CLAY SHEARER, Petitioner,

vs.

CENTRAL FLORIDA YMCA, ETC.,
Respondent.

[July 13, 1989]

PER CURIAM.

This is a petition to review McCullough v. Central Florida YMCA, 523 So.2d 1208 (Fla. 5th DCA 1988), because of express direct conflict with Zordan v. Page, 500 So.2d 608 (Fla. 2d DCA 1986), review denied, 508 So.2d 15 (Fla. 1987). Art. V, § 3(b)(3), Fla. Const. In Landis v. Allstate Insurance Co., Nos. 71,691 and 71,910 (Fla. July 13, 1989), we disapproved the majority opinion in Zordan. Consistent with Landis, we approve the opinion of the district court of appeal in this case.

It is so ordered.

EHRlich, C.J., and OVERTON, SHAW, BARKETT, GRIMES and KOGAN, JJ.,
Concur
McDONALD, J., Concurs in result only

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

Fifth District - Case No. 87-1392
(Orange County)

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