

Supreme Court of Florida

No. 73,560

GLADYS MARQUEZ, Petitioner,

vs .

PRUDENTIAL PROPERTY AND
CASUALTY INSURANCE COMPANY, Respondent.

[April 12, 1990]

SHAW, J.

We accepted review of Marquez v. Prudential Property & Casualty Insurance Co., 534 So.2d 918 (Fla. 3d DCA 1988), because the decision was certified to be in conflict with Shelby Mutual Insurance Co. v. Smith, 527 So.2d 830 (Fla. 4th DCA 1988). We subsequently issued an opinion quashing the district court's opinion in Shelby. Shelby Mut. Ins. Co. v. Smith, No. 72,870 (Fla. Jan. 11, 1990). The decision below is consistent with our recent opinion in Shelby, and there is no longer conflict. We therefore discharge the petition for review.

It is so ordered.

EHRlich, C.J., and OVERTON, McDONALD, BARKETT, GRIMES and KOGAN, JJ.,
Concur

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT.

Application for Review of the Decision of the District Court
of Appeal - Certified Great Public Importance

Third District - Case No. 88-432
(Dade County)

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