

Not Amended

To be Amended

IN THE SUPREME COURT OF FLORIDA

FILED
JUL 10 1990
CLERK OF THE COURT
By: [Signature]
Deputy Clerk

MARY LOUIS THAYSEN and the
DEPARTMENT OF HEALTH AND
REHABILITATIVE SERVICES,

Petitioner,

CASE NO. 76,136

vs.

DONALD J. THAYSEN,

Respondent.

RESPONDENT'S BRIEF IN ANSWER TO JURISDICTIONAL BRIEF

Respondent respectfully acknowledges that there is a definite conflict in decisions between the Fifth District and in the instant case.

Respondent further certifies that while this response is actually filed late, counsel for the Petitioner, Mr. Branch, has stated he has no objection to the late filing of this response.

I HEREBY CERTIFY that a true and correct copy of the foregoing was mailed on this 9th day of July, 1990 to William H. Branch, Esq., Boyd & Branch, P. A., 1407 Piedmont Drive East, P. O. Box 14267, Tallahassee, Fla. 32317 and Chriss Walker, Esq., Department of Health and Rehabilitative Services, 1317 Winewood Boulevard, Tallahassee, Fl. 32301.

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By: [Signature]
FRANK M. MARKS, ESQ.
Of counsel