

Supreme Court of Florida

No. 81,652

ORIGINAL

CITY OF MELBOURNE,
Petitioner,

vs.

JOSEPH ALBERT PUMA,
Respondent.

[February 3, 1994]

PER CURIAM.

We have for review City of Melbourne v. Puma, 616 So. 2d 190 (Fla. 5th DCA 1993). Jurisdiction was initially accepted based on conflict among district courts of appeal. We find that our recent decision in Board of County Commissioners v. Snyder, 18 Fla. L. Weekly S522 (Fla. Oct. 8, 1993), resolves the conflict. Accordingly, we remand this case to the court below for further consideration consistent with our opinion in Snyder.

It is so ordered.

BARKETT, C.J., and OVERTON, McDONALD, SHAW, GRIMES, KOGAN and HARDING, 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
Fifth District - Case No. 92-1038

(Brevard County)

Paul R. Gougelman and Michael R. Riemenschneider of Reinman,
Harrell, Graham, Mitchell & Wattwood, P.A., Melbourne, Florida,

for Petitioner

Ralph Geilich, Melbourne, Florida,

for Respondent

Sherry A. Spiers, Assistant General Counsel, Department of
Community Affairs, Tallahassee, Florida; and Jonathan A. Glogau,
Assistant Attorney General, Department of Legal Affairs,
Tallahassee, Florida,

Amicus Curiae for Florida Department of Community Affairs
and Robert A. Butterworth, Attorney General, State of
Florida

Nancy Stuparich, Assistant General Counsel and Jane C. Hayman,
Deputy General Counsel, Tallahassee, Florida,

Amicus Curiae for Florida League of Cities, Inc.

Eden Bentley, Assistant County Attorney, Melbourne, Florida,

Amicus Curiae for Brevard County

John J. Copelan, Jr., County Attorney for Broward County, and
Barbara S. Monahan, Assistant County Attorney, Fort Lauderdale,
Florida,

Amicus Curiae for Broward County