

Supreme Court of Florida

No. 85,457

BOBBIE STEVENS, et al.,

Petitioner,

vs.

AMERICAN BANKERS INSURANCE COMPANY OF FLORIDA,

Respondent.

[July 18, 1996]

PER CURIAM.

We granted review of Stevens v. American Bankers Insurance Co. of Florida, 651 So. 2d 1219 (Fla. 3d DCA 1995), based upon express and direct conflict with the opinion in Smith v. General Accident Insurance Co., 641 So. 2d 123 (Fla. 4th DCA 1994). See Art. V, § 3(b)(3), Fla. Const. However, after closer examination of the two cases, we have determined that there is no express and

direct conflict. Jurisdiction was therefore improvidently granted and the petition for review is accordingly dismissed.

It is so ordered.

KOGAN, C.J., and OVERTON, SHAW, GRIMES, HARDING, WELLS and ANSTEAD, JJ., concur.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of
Appeal - Direct Conflict of Decisions
Third District - Case Nos. 94-746 & 94-1547

(Dade County)

Arnold R. Ginsberg of Arnold R. Ginsberg, P.A., Miami, Florida;
Frances Schreiber, Miami, Florida; and John W. Virgin, Miami,
Florida,

for Petitioners

Sheila Wolfson Moylan, Coconut Grove, Florida,

for Respondent