

supreme Court of Florida

NO. 85,491

ESTATE OF MARGARET
MAGGIACOMO, etc.,

Petitioner,

vs.

BEVERLY ENTERPRISES-FLORIDA,
INC., etc.,

Respondent.

[October 26, 1995]

WELLS, J.

We have for review Beverly Enterprises-Florida, Inc. v. Estate of Maggiacomo, 651 So. 2d 816 (Fla. 2d DCA 1995), in which the district court addressed the same question we recently answered in Globe Newspaper Co. v. King, 658 So. 2d 518 (Fla. 1995). We have jurisdiction. Art. V, § 3(b)(3), Fla. Const.

In accordance with our decision in Globe Newspaper, we quash

the order of the district court granting certiorari in the instant case and remand to the trial court for further proceedings.

It is so ordered.

GRIMES, C.J., and OVERTON, SHAW, KOGAN, HARDING and ANSTEAD, 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

Second District - Case No. 94-03823

(Hillsborough County)

Edward J. Lyons of Wilkes & McHugh, Tampa, Florida,

for Petitioner

Gail Leverett Parenti of Parenti, Falk, Waas & Frazier, Coral
Gables, Florida,

for Respondent