

Supreme Court of Florida

No. 86,689

LUCIA BULONE,

Petitioner,

vs.

UNITED SERVICES AUTOMOBILE
ASSOCIATION,

Respondent.

[September 26, 1996]

PER CURIAM.

We review Bulone v. United Services Automobile Ass'n, 660 So. 2d 399, 400 (Fla. 2d DCA 1995), in which the court certified conflict with Warren v. Travelers Insurance Co., 650 So. 2d 1082 (Fla. 1st DCA 1995). We have jurisdiction pursuant to article V, section 3(b)(4) of the Florida Constitution.

We recently quashed the decision of the First District Court of Appeal in Warren v. Travelers Insurance Co., 21 Fla.

L. Weekly S315 (Fla. July 18, 1996). Therefore, we approve the result of the decision below.

It is so ordered.

KOGAN, C.J., and OVERTON, SHAW, GRIMES and HARDING, JJ., concur. WELLS, J., concurs with an opinion, in which SHAW, J., concurs. ANSTEAD, J., dissents.

NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING MOTION AND, IF FILED, DETERMINED.

WELLS, J., concurring.

I concur that this decision is controlled by the decision in Travelers Insurance Co. v. Warren, 21 Fla. L. Weekly S315 (July 18, 1996). On the basis upon which I concurred with the result in Warren, I concur with the result in this case.

SHAW, J., concurs.

Application for Review of the Decision of the District Court of
Appeal - Certified Direct Conflict of Decisions
Second District - Case No. 94-01984
(Hillsborough County)

Edward M. Albrecht of Limberopoulos & Associates, P.A., Tampa,
Florida,

for Petitioner

C. Todd Alley and Brenda S. Fulmer of Alley, Ingram & Buckler,
Tampa, Florida,

for Respondent