

Supreme Court of Florida

No. 87,172

DEPARTMENT OF LAW ENFORCEMENT,

Petitioner,

vs.

SHARON HOUSE, et al.,

Respondents.

[August 29, 1996]

PER CURIAM.

We have for review an unpublished order of the First District Court of Appeal in Florida Department of Law Enforcement v. House, No. 95-965 (Fla. 1st DCA Oct. 13, 1995), dismissing an appeal for lack of jurisdiction. The court certified conflict with the opinion in Department of Transportation v. Wallis, 659 So. 2d 429 (Fla. 5th DCA 1995). We have jurisdiction. Art. V, § 3(b)(4), Fla. Const.

This Court recently disapproved Wallis in Department of Education v. Roe, 21 Fla. L. Weekly S311 (Fla. July 18, 1996). Accordingly, we approve the dismissal of the appeal.

It is so ordered.

KOGAN, C.J., and OVERTON, SHAW, GRIMES, HARDING, WELLS 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 - Certified Direct Conflict of Decisions
First District - Case No. 95-965

Robert A. Butterworth, Attorney General and Wendy S. Morris,
Assistant Attorney General, Tallahassee, Florida,

for Petitioner

L. William Porter II of L. William Porter II, P.A., Havana,
Florida, on behalf of Sharon House; and Gordon D. Cherr of
McConnaughay, Roland, Maida & Cherr, P.A., Tallahassee, Florida,
on behalf of SBJM, Inc.,

for Respondents