

# Supreme Court of Florida

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No. 93,038

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**MICHAEL JON DiPIETRO, et al.,**  
Petitioners,

vs.

**DAVID GRIEFER, et ux.,**  
Respondents.

[April 22, 1999]

PER CURIAM

We accepted jurisdiction to review Griever v. DiPietro, 708 So. 2d 666 (Fla. 4th DCA 1998), in order to resolve what appeared to be express and direct conflict with Alvarado v. Rice, 614 So. 2d 498 (Fla. 1993), and Rockman v. Barnes, 672 So. 2d 890 (Fla. 1st DCA 1996). See Art. V, § 3(b)(3), Fla. Const. However, upon closer examination, we find no conflict and find review was improvidently granted. Accordingly, we dismiss the petition.

It is so ordered.

HARDING, C.J., and SHAW, WELLS, PARIENTE, LEWIS and QUINCE, JJ.,  
concur.

ANSTEAD, J., recused.

NO MOTION FOR REHEARING WILL BE ALLOWED.

Application for Review of the Decision of the District Court of Appeal  
Direct Conflict

Fourth District - Case Nos. 96-2481, 96-2958, 96-2964, and  
97-0223

(Broward County)

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