

Supreme Court of Florida

No. SC99-92

**WILLIAM G. BELL, as personal
representative of the Estate of Malvern Hill Bell
and as trustee of the Malvern Hill Bell
Revocable Trust**
Petitioner,

vs.

JANET SNYDER,
Respondent.

[January 25, 2001]

PER CURIAM.

We initially granted review in Snyder v. Bell, 746 So. 2d 1096 (Fla. 2d DCA 1999), on the basis of an alleged express and direct conflict with this Court's decision in Lohr v. Byrd, 522 So. 2d 845 (Fla. 1988), the Fifth District Court of Appeal's decision in United Pacific Insurance Co. v. Berryhill, 620 So. 2d 1077 (Fla. 5th DCA 1993), the Fourth District Court of Appeal's decision in Vining v. Martyn, 660 So. 2d 1081 (Fla. 4th DCA 1995), and the Third District Court of Appeal's decision in

McArthur Dairy, Inc. v. Original Kielbs, Inc., 481 So. 2d 535 (Fla. 3d DCA 1986).

Upon further examination and review, however, we find that jurisdiction was improvidently granted in this case. Accordingly, we hereby dismiss this case without further review of the matter.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Second District - Case Nos. 2D98-00853 & 2D98-00191

(Sarasota County)

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Timm, Furen & Ginsburg, P.A., Sarasota, Florida,

for Petitioner

A. Lamar Matthews, Jr., Theodore C. Eastmoore, and Arthur S. Hardy of Matthews,
Hutton & Eastmoore, Sarasota, Florida,

for Respondent