

# Supreme Court of Florida

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No. SC00-595

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**UNITED SERVICES AUTOMOBILE ASSOCIATION,**  
Petitioner,

vs.

**RAYMOND J. BEHAR, M.D. and**  
**SUSAN L. BEHAR, his wife,**  
Respondents.

[March 29, 2001]

PER CURIAM.

We initially accepted review of the opinion in United Services Automobile Ass'n v. Behar, 752 So. 2d 663 (Fla. 2d DCA 2000), based on alleged express and direct conflict with the opinions in Tucker v. Shelby Mutual Insurance Co., 343 So. 2d 1357 (Fla. 1st DCA 1977), and Bodek v. Gulliver Academy, 702 So. 2d 1331 (Fla. 3d DCA 1997). Upon further consideration, we find that jurisdiction was improvidently granted. Accordingly, we hereby dismiss review of this cause.

It is so ordered.

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

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

Second District - Case No. 2D99-1592

(Pinellas County)

Kimberly Staffa Mello and David J. Abbey of Fox, Grove, Abbey, Adams, Byelick  
& Kiernan, L.L.P., St. Petersburg, Florida,

for Petitioner

David A. Maney and Lorena L. Kiely of Maney, Damsker & Jones, P.A., Tampa,  
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for Respondents