

Supreme Court of Florida

No. SC00-833

PIRELLI ARMSTRONG TIRE CORPORATION,
Petitioner,

vs.

META E. JENSEN,
Respondent.

[February 8, 2001]

PER CURIAM

We have for review a decision of the Second District Court of Appeal certifying the following question to be of great public importance:

WHETHER THE APPLICATION OF A CONTINGENCY RISK MULTIPLIER TO AN AWARD OF ATTORNEY'S FEES UNDER SECTION 768.79, FLORIDA STATUTES (1993), THE OFFER OF JUDGMENT STATUTE, VIOLATE[S] THE GUARANTEE OF EQUAL PROTECTION AFFORDED UNDER THE UNITED STATES OR FLORIDA CONSTITUTION?

Pirelli Armstrong Tire Corp. v. Jensen, 752 So. 2d 1275, 1276 (Fla. 2d DCA 2000).

Under article V, section 3(b)(4), of the Florida Constitution, this Court has jurisdiction to review "any decision of a district court of appeal that passes upon a question certified by it to be of great public importance." Because in rendering its decision, the Second District did not pass upon the question certified to this Court, we are without jurisdiction to review this case. See Gee v. Seidman & Seidman, 653 So. 2d 384, 385 (Fla. 1995). Accordingly, we dismiss review of this case as improvidently granted.

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 -
Certified Great Public Importance

Second District - Case No. 2D97-04837

(Hillsborough County)

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