

# Supreme Court of Florida

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No. SC05-1180

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**FLORIDA DEPARTMENT OF FINANCIAL SERVICES, etc.,**  
Petitioner,

vs.

**OCEAN BANK,**  
Respondent.

[November 2, 2006]

PER CURIAM.

We initially accepted jurisdiction to review the decision in Ocean Bank v. State Department of Financial Services, 902 So. 2d 833 (Fla. 1st DCA 2005), based on a question certified by the First District Court of Appeal to be of great public importance. See art. V, § 3(b)(4), Fla. Const.

Upon further consideration, we have determined that we should exercise our discretion and discharge jurisdiction of this cause. Accordingly, this review proceeding is hereby dismissed.

It is so ordered.

LEWIS, C.J., and WELLS, ANSTEAD, PARIENTE, QUINCE, CANTERO, and BELL, 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

First District - Case No. 1D04-3906

(Leon County)

E. Barclay Cale, Miami, Florida, Laudelina F. McDonald and Yamile Benitez-Torviso, Florida Department of Financial Services, Division of Rehabilitation and Liquidation, Miami, Florida,

for Petitioner

J. Riley Davis of Akerman Senterfitt, Tallahassee, Florida, Kendall Coffey of Coffey and Wright, LLP, Coconut Grove, Florida, and Joel L. Tabas of Tabas, Freedman, Soloff and Miller, Miami, Florida,

for Respondent