

# Supreme Court of Florida

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No. SC09-451

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**FLORIDA UNEMPLOYMENT APPEALS COMMISSION,**  
Petitioner,

vs.

**SHIRLEY PORTER, et al.,**  
Respondents.

[June 3, 2010]

PER CURIAM.

We originally accepted jurisdiction to review the decision of the First District Court of Appeal in Porter v. Florida Unemployment Appeals Commission, 1 So. 3d 1101 (Fla. 1st DCA 2009), based on express and direct conflict. See art. V, § 3(b)(3), Fla. Const. After further consideration, we have determined that jurisdiction was improvidently granted. Accordingly, we hereby discharge jurisdiction and dismiss this review proceeding.

It is so ordered.

QUINCE, C.J., and PARIENTE, CANADY, POLSTON, LABARGA, and  
PERRY, JJ., concur.  
LEWIS, J., dissents.

NO MOTION FOR REHEARING WILL BE ALLOWED.

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

First District - Case No. 1D08-63

John D. Maher, Deputy General Counsel, Florida Unemployment Appeals  
Commission, Tallahassee, Florida,

for Petitioner

Shirley Porter, pro se, Jacksonville, Florida,

for Respondents