

Supreme Court of Florida

No. 65,387

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY, Petitioner,

vs.

THOMAS JOHN CURTIN and
THOMAS P. CURTIN, Respondents.

[October 23, 1986]

PER CURIAM.

We accepted jurisdiction to review Curtin v. State Farm Mutual Automobile Insurance Co., 449 So.2d 293 (Fla. 5th DCA 1984) pending our review of Boynton v. Allstate Insurance Co., 443 So.2d 427 (Fla. 5th DCA 1984), quashed, 486 So.2d 552 (Fla. 1986). Although we recently quashed the district court decision in Boynton, we expressly approved of that portion of the opinion which was relied on by the district court in the instant case. Finding no conflict to support this Court's jurisdiction, the petition for review is dismissed.

It is so ordered.

McDONALD, C.J., and ADKINS, BOYD, OVERTON, EHRLICH, SHAW and BARKETT, JJ., Concur

NO MOTION FOR REHEARING WILL BE ENTERTAINED BY THE COURT. SEE FLA.R.APP.P. 9.330(d).

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

Fifth District - Case No. 82-599

James O. Driscoll of Driscoll, Langston, Kane and Hess, Orlando,
Florida,

for Petitioner

Herbert H. Hall, Jr. and Deborah C. Edens of Maher, Overchuck,
Langa and Lobb, Orlando, Florida,

for Respondents