

# Supreme Court of Florida

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No. 67,479

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MIAMI HERALD PUBLISHING  
COMPANY, et al., Petitioners,

vs.

JOHN W. HAGLER, et al., Respondents.

[May 7, 1987]

PER CURIAM.

This case, Miami Herald Publishing Co. v. Hagler, 471 So.2d 1344 (Fla. 4th DCA 1985), is one of a series of cases presenting issues which were certified as questions of great public importance by Palm Beach Newspapers, Inc. v. Burk, 471 So.2d 571 (Fla. 4th DCA 1985). We tentatively accepted jurisdiction to ensure consistency of decisions. Our decision in Palm Beach Newspapers, Inc. v. Burk, No. 67,352 (Fla. Feb. 19, 1987), answering the certified questions and affirming the court below obviates jurisdiction. We deny the petition for review.

It is so ordered.

McDONALD, C.J., and OVERTON, EHRLICH, SHAW, GRIMES and KOGAN, JJ.,  
Concur

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

Fourth District - Case No. 83-2062

Richard J. Ovelmen, General Counsel, The Miami Herald Publishing Company, Miami, Florida; Parker D. Thomson, Sanford L. Bohrer and Jerold I. Budney of Thomson, Zeder, Bohrer, Werth, Adorno & Razook, Miami, Florida; and Laura Besvinick of Greer, Homer, Cope & Bonner, Miami, Florida, for Miami Herald Publishing Company; and Donald M. Middlebrooks, L. Martin Reeder, Jr. and Thomas R. Julin of Steel, Hector & Davis, Miami, Florida, for Palm Beach Newspapers, Inc.,

Petitioners

Nelson E. Bailey, West Palm Beach, Florida, for John W. Hagler; and Robert A. Butterworth, Attorney General, and Louis F. Hubener, Assistant Attorney General, Tallahassee, Florida, for the State of Florida,

Respondents

Dan Paul and Franklin G. Burt of Paul and Burt, Miami, Florida; and George H. Freeman, Legal Department, New York Times, New York, New York,

for Amici Curiae, Gainesville Sun Publishing Company; Lake City Reporter, Inc.; Lakeland Ledger Publishing Corporation; Leesburg Daily Commercial, Inc.; Ocala Star-Banner Corporation; The Palatka Daily News, Inc.; The New York Times Company; Fernandina Beach News-Leader, Inc.; and Sebring News-Sun, Inc.