

KINSEY, VINCENT, PYLE,

PROFESSIONAL ASSOCIATION

ATTORNEYS AT LAW

FRANK L. PYLE
S. LARUE WILLIAMS
J. DOYLE TUMBLESON
GLENN R. PADGETT
RICHARD A. BURT
MICHAEL A. PYLE
KURT BORGLUM
STEPHEN R. PONDER

ROY E. KINSEY
(1917-1984)
C. AUBREY VINCENT, JR.
(1919-1977)

PLEASE RESPOND TO:
DAYTONA BEACH OFFICE

March 17, 1986

60,357
DAYTONA BEACH OFFICE
POST OFFICE BOX 3096
42 SOUTH PENINSULA DRIVE
DAYTONA BEACH, FLORIDA 32018-0096
TELEPHONE (904) 252-1561

ORLANDO OFFICE
POST OFFICE BOX 2187
1150 LOUISIANA AVENUE
WINTER PARK, FLORIDA 32790-2187
TELEPHONE (305) 628-0884

Office of the Clerk of the
Supreme Court of Florida
Supreme Court Building
Tallahassee, Florida 32301

Re: Proposed Amendment to Rule 1.100

Dear Sir:

The proposed amendment states, in Subsection (2):

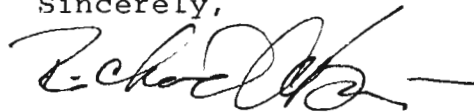
If the cover sheet is not filed as required, the Clerk shall accept the pleadings for filing but all proceedings in the case shall be held in abeyance until a properly completed cover sheet is filed by counsel.

This part of the rule would allow a defendant to delay the case, by inadvertence or otherwise, by filing an answer without the civil cover sheet.

Regarding the part of the civil cover sheet entitled, "Type of Case", which box is to be checked for a complaint or counterclaim with two causes of action, one in tort for negligence and the other in contract for breach of contract?

I hope these comments are helpful to the Court.

Sincerely,



Richard A. Burt

RAB:gl

